

LEAVE WITHOUT PAY PROCEDURE

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Administrator.

Functional Category:	Human Resources
Parent Policy:	Attendance Management Policy
Approval Date:	August 9, 2022
Effective Date:	August 9, 2022
Procedure Owner:	Vice President, People and Culture
Procedure Administrator:	Manager, People Services

Overview:

Leaves of absence without pay (leave without pay) may be granted to an employee, in accordance with the appropriate collective agreement or terms and conditions of employment, at the sole discretion of NorQuest College (college) and where operational requirements permit. The administration of these leaves is outlined in the procedures below.

Authority to establish this procedure is derived from the [NorQuest College Board of Governor's Policy No.5](#), which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation.

Procedures:

Requesting a Leave Without Pay

Employees occupying a Permanent or Term position may request a leave of absence without pay, recognizing that their first responsibility is to the performance of their job, unless unusual or unforeseen circumstances arise.

Employees requesting a leave without pay are to complete an [Application for Leave Without Pay](#), including the dates and the reason for the leave, and submit their application to their Division Head.

Granting Leave Without Pay

The following guidelines are to be applied when granting a leave of absence without pay:

- for a leave of less than six (6) weeks:
 - as operational requirements permit.
- for a leave of six (6) weeks or more:
 - as operational requirements permit; and
 - the employee:
 - has completed one (1) year of employment,
 - provides adequate notice as outlined in their collective agreement or terms and conditions of employment,
 - is not employed elsewhere during the leave, except under special circumstances approved by an Executive Head
 - intends to return to active work with the college for a minimum of two (2) weeks, and
 - is not requesting a leave beyond the end date of their Term expiry date.

- Once a leave without pay is approved and scheduled, it will not be allowed to change except:
 - by the Manager if there is an operational emergency, or
 - by mutual agreement.

Authority for Approvals of Leaves Without Pay

- Executive Heads have the authority to approve all leaves without pay. Executive Head approval is specifically required for leaves of three (3) months or longer.
- Division Heads have the authority to approve, or delegate approval to a manager, leaves without pay up to three (3) months.
- People Leaders have the authority to approve leaves without pay up to 10 days.

Conditions While on Leaves Without Pay

Vacation

- Employees must utilize their vacation days prior to taking leaves without pay.
- Employees will earn vacation for the first 22 days of leave without pay.

Paid Days

- Employees on a leave without pay are not eligible for paid leaves (i.e., illness leave, personal leave, or emergency leave, etc.).
- Employees are eligible for paid holidays when they return to work the day before or the day after a paid holiday. However, when the paid holiday falls on the first workday of a month the employee must work the day after to receive pay for that day.

Benefits Plan

- Where an employee is granted a leave without pay for greater than two full pay periods, People Services will provide the employee with the Leave without Pay Agreement to complete. This Agreement allows the employee to choose to either continue or discontinue in the Benefits Plan during their leave.
- Where an employee chooses to continue in the Benefits Plan:
 - they may choose to have the full amount of benefits deducted from their final cheque prior to their leave, or
 - an employee may choose to provide the college with an e-transfer sent to e-transfer@norquest.ca on the first of each month.
 - for information on employee/employer premium payments and timelines, refer to your collective agreement or terms and conditions of employment.
- If, at any time during their leave, an employee allows payment of premiums to lapse, benefits will be suspended immediately until such time as the employee submits the required payment. Any outstanding balance owing upon return to work will be deducted from the employee's next pay cheque without further notice.

- Where an employee chooses to discontinue participation in the Benefits Plan, they must, two weeks prior to the leave, sign and submit to People Services the Request to Discontinue College Benefits form.
- Where a leave without pay, that isn't a statutory leave (e.g., Maternity Leave), is granted for more than one year, People Services must complete a Request for Leave of Absence Approval Form (beyond 12 months) and submit it to the benefit carriers to receive approval for the employee to continue in the benefit plans.

Resignation

When an employee resigns while on a leave of absence without pay, the date of termination will be the date the employee's division receives notification that the employee is resigning.

Administrative Procedure

For leaves less than three months

- The approver submits the approved Application for Leave Without Pay to People Services, People and Culture.
- If the leave is for more than two full pay periods, People Services will provide the employee with a Leave without Pay Agreement and the Request to Discontinue College Benefits form for completion and return to People Services.
- People Services will then advise Payroll Services to continue or suspend benefits.

For leaves more than three months

- The approver submits the approved Application for Leave Without Pay to People Services, People and Culture.
- People Services will provide the employee with a letter advising that their leave has been approved. People Services will also provide the employee with a Leave without Pay Agreement and the Request to Discontinue College Benefits Form for completion and return to People Services. They will advise Payroll Services to set up a Leave without Pay on payroll and to continue or suspend benefits.

Returning from a Leave Without Pay

- The employee's position, or a comparable one, will be held for an employee while on an approved leave without pay.
- Where an employee, approved for a leave without pay greater than two full pay periods, wishes to return early from their leave, they may do so providing they provide two weeks written notice to the Manager.

Definitions:

Division Head: Means anyone who manages a division or multiple divisions. Division Head is responsible for a division(s) reporting directly to an executive and normally includes Deans and Directors but may also include an executive or senior manager.

Executive Head: Means anyone who manages a division(s) and is a member of the Executive Team.

Leave of Absence Without Pay: Means a period of time away from work for which employees are not paid

Manager: Means anyone classified as a Manager and manages a division, department, or unit. Managers can include senior managers, deans, directors, Members of Executive or the President and CEO.

Paid Holiday: means a statutory holiday and any other day designated as a paid holiday within the collective agreements and terms and conditions of employment.

Permanent Position: Means a position designated by the college as continuing to meet the ongoing operational requirements of NorQuest's core programs. A permanent position may be full time or part time of not less than half time.

People Leader: Means an employee whose job function requires them to organize, direct and control the work of others. People Leaders can include team leads, chairs, associate chairs, managers, deans, directors, vice-presidents, or the President and CEO. Another term for People Leader is Supervisor.

Term Position: Means a position designated by the college as a project or replacement position or term-certain for other specified reasons, having a set expiry date. A term position shall be at least six (6) months minimum in duration and may be full time or part time and not less than one-half time. The length of the term position shall be determined by the nature and duration of the work that is to be performed.

Related NorQuest College Information:

- [Application for Leave Without Pay](#)
- [Attendance Management Policy](#)
- [Attendance Management Roles and Responsibilities Procedure](#)
- [AUPE Collective Agreement](#)
- [Faculty Collective Agreement](#)
- [Leave without Pay Agreement \(available from People Service\)](#)
- [Management Terms and Conditions](#)
- [Out of Scope Employees Terms and Conditions](#)
- [Request for Leave of Absence Approval Form \(beyond 12 months\) \(available from People Service\)](#)
- [Request to Discontinue College Benefits Form \(available from People Service\)](#)
- [Vacation Management Procedure](#)

Related External Information:	N/A
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Revision History:	August 2012: new August 2013: update for document links and branding November 2014: update for change in procedure owner September 2015: update document links August 2019: Compliance Office template & reorganization update December 2021: reviewed as per the Policy and Procedure Framework Procedure; Updated to reflect changes to the Organization Structure, to reflect changes in internal nomenclature, and to provide greater clarity regarding timelines.