

## *Personal Emergency Leave Information Sheet*

*(no longer in effect as of January 1, 2019)*

**WHAT:** Personal emergency leave was job-protected time off work for up to 10 days per calendar year in effect from January 1, 2018 - December 31, 2018, as per Bill 148. Employees who were not entitled to any special leave were entitled to access paid leave for the first two personal emergency leave days, **effective January 2018 - Dec 2018.**

**WHY:** There are changes to Personal Emergency Leave as a result of the Ontario Government passing Fair Workplaces, Better Jobs Act, 2017, Bill 148, which amended the Employment Standards Act (“ESA”) on this topic in effect between **January 1, 2018 - December 31, 2018. On November 21, 2018, Bill 47 was passed which repealed the Personal Emergency Leave entitlements (including the 2 paid days) and replaced it with 8 days of unpaid annual leave days.**

**WHO:** RCDSB employees with sick leave and special leave days have a greater benefit and therefore do not get any additional paid personal emergency leave days as a result of this new legislation in effect from January 1, 2018- **December 31, 2018.**

All other RCDSB employees who have been employed with the Board for more than a week will be eligible for two (2) days of paid emergency leave per calendar year for days they were previously scheduled to work.

In order to be eligible for a paid Personal Emergency Leave day, the employee must have had a scheduled shift that they had to cancel between **January 1, 2018 - December 31, 2018.** A partial shift absence counts as a “day”. Paid Personal Emergency Leave would not *normally* be granted for a same day acceptance and subsequent cancellation of a shift, but may be granted if there is sufficient proof of a last minute emergency. The Board may require an employee who takes Personal Emergency Leave to provide evidence reasonable in the circumstances that the employee is entitled to the leave, under the Employment Standards Act.

The criteria used to assess the payment for the personal emergency leave days are those outlined in the Employment Standards Act and Guide, as summarized below.

**WHAT:** This leave may be taken for personal illness, injury or medical emergency. It can also be taken for the death, illness, injury, or medical emergency of, or urgent matter relating to, the following family members:

- your spouse
- a parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of you or your spouse
- the spouse of your child
- your brother or sister
- a relative who is dependent on you for care or assistance.

An urgent matter is an event that is unplanned or out of the employee's control, **and** raises the possibility of serious negative consequences, including emotional harm, if not responded to.

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Examples of an “urgent matter” include:

- The employee's babysitter calls in sick and reasonable effort was made to secure backup care.
- The house of the employee's elderly parent is broken into, and the parent is very upset and needs the employee's help to deal with the situation.
- The employee has an appointment to meet with his or her child's counsellor to discuss behavioural problems at school. The appointment could not be scheduled outside the employee's working hours.

Examples of events that do not qualify as an “urgent matter” include:

- An employee wants to leave work early to watch his daughter's track meet.
- An employee wants the day off in order to attend at her sister's wedding as a bridesmaid.

**WHEN:** Effective January 1, 2018- **December 31, 2018**, employees who do not get sick leave or special leave can apply for paid Personal Emergency Leave (up to two (2) days per calendar year). We will retroactively pay the 2 personal emergency days that occurred between January 2018 and **December 2018** if they meet the eligibility criteria and we were notified generally of the reason for cancellation at the time.

**HOW:**

- Employees in Smart Find Express will enter the absence/cancel their accepted shift into Smart Find Express as soon as possible when unable to work a scheduled day due to personal emergency that meets the criteria above, as per ESA, 2000.
- Employees who are not in smartfind that complete timecards will follow their normal absence notification process (notify the location and supervisor/manager for the scheduled shift). The timecard should note PEL on the appropriate day and the number of hours scheduled.
- A Personal Emergency Leave application form should be submitted within 5 days. A link to the google form is located on the RCDSB website, Employees, Employee Self Service, HR Forms.
- Employees will need to complete the form to provide details of the job ID, scheduled work hours, location, supervisor/ principal contact, and absence reason on this form to assess eligibility for paid leave.
- In the event that the reason indicated does not meet the Personal Emergency Leave criteria or you have already exhausted the 2 paid days of Personal Emergency Leave in the calendar year, it will be an unpaid day.
- Personal Emergency Leave Forms will be reviewed approximately once every two weeks by Superintendent of Employee Services or designate and if a Personal Emergency Leave form is approved, HR will notify payroll to process payment within the next possible payroll run for the respective employee group.

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- This process may be subject to change as we assess the volume of leave days, information required, and potential administrative improvements.