

MILITARY (RESERVIST) LEAVE 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:	January 1, 2018
Effective Date:	January 1, 2018
Procedure Owner:	Vice President, People
Procedure Administrator:	Manager, People Services

Overview:

Leaves of absence without pay may be granted to an employee, in accordance with the appropriate collective agreements 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 Governors 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 Military (Reservist) Leave Without Pay

Employees occupying a Permanent or Term position who are members of the reserve force of the Canadian Forces may request a short-term or long-term leave of absence without pay when absence is necessary for participation in an operational mission **or** for absences of up to six (6) weeks each calendar year for military training purposes. Requests will be approved subject to the college's operational requirements.

Employees requesting a military (reservist) leave without pay are required to complete an [Application for Leave Without Pay \(HR 143\)](#), including the dates and the reason for the leave, and submit the application to their Manager.

Granting Leave Without Pay

Requests are approved subject to operational requirements and in accordance with the following guidelines::

- The employee has completed at least 26 consecutive weeks of employment, intends to return to active work with the college for a minimum of two weeks, and is not requesting a leave beyond the end date of their Term expiry date.
- The employee provides at least four (4) weeks' written notice indicating the date the leave will start and the actual date of return to work for training purposes or estimated date of return to work for deployment purposes. If due to urgent circumstances the employee is unable to provide four (4) weeks' notice, written notice must be provided as soon as is reasonable.
- The employee provides written confirmation, including the start date and the estimated or actual length of the leave, from a Reserves official.
- The employee provides written notice of a change in the length of the leave as soon as is reasonable.

- The employee is not employed elsewhere during the leave, except under special circumstances approved by an Executive Head.
- Once leave without pay is approved and scheduled, employees will only be allowed to change their booked time with Manager Approval (due to an operational emergency), or by mutual agreement.

Authority for Approvals of Military (Reservist) Leaves Without Pay

- “Supervisors and Managers” have the authority to approve leaves without pay up to ten (10) days.
- “Division Heads” have the authority to approve leaves without pay up to one (1) year.
- “Executive Heads” have the authority to approve all leaves without pay. Executive Head approval is specifically required for leaves longer than one (1) year.

Conditions While on Military Leaves Without Pay

Vacation

- Employees are encouraged to utilize their vacation days prior to taking leaves without pay.
- Employees will not earn vacation while on military (reservist) leave without pay. Vacation earned prior to the leave without pay will be deferred until the employee returns to work.

Paid Days

- Employees while on military (reservist) leave without pay are not eligible for paid leaves (i.e. sick leave, personal & emergency, etc.).

Benefits Plan

- Where an employee is granted a military (reservist) leave without pay for greater than two (2) full pay periods, Employee Services will provide the employee with the Leave without Pay Agreement (HR139) 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
 - they may choose to provide the college with post dated cheque dated the 1st of each month during their leave. Cheques must be received prior to the start of the leave.
 - for information on employee/employer premium payments and timing refer to your collective agreement or terms and conditions of employment.
- If, at any time during the military (reservist) leave the 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 (2) weeks prior to the leave, sign and submit to People the Request to Discontinue College Benefits form (HR140).
- Where a military (reservist) leave without pay is granted for more than one year, the Employee Services department must complete a Request for Leave of Absence Approval Form (beyond 12 months)

(HR127) 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 military (reservist) 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 military (reservist) leaves less than two (2) full pay periods

- The approver submits the approved application (HR143) to Employee Services, People. Participation in the benefits plan must continue if the leave without pay is less than two (2) full pay periods.

For military (reservist) leaves greater than two (2) full pay periods

- The approver submits the approved application (HR143) to Employee Services. Employee Services will provide the employee with a letter advising that their leave has been approved along with a copy of the Code of Conduct Policy. Employee Services will also provide the employee with the Leave without Pay Agreement (HR139) and the Request to Discontinue College Benefits Form (HR140) for completion and return to Employee Services.
- Employee Services will advise the Payroll Unit to set up a Leave without Pay on payroll and continue or suspend benefits.

Returning from a Military (Reservist) Leave Without Pay

The employee's position, or a comparable one, will be held for an employee while on an approved military (reservist) leave without pay.

Where an employee, approved for a leave without pay greater than two full pay periods to support a deployment, wishes to return early from their leave, they may do so providing they provide four (4) weeks' written notice to the Division Head.

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 in the position of President and CEO, Vice President or Executive Director.

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 ongoing operational requirements. A permanent position may be Full-time or Part-time.

Related NorQuest College Information:
Related External Information:
Next Review Date:
Revision History:

Reservist: means a member of the reserve force of the Canadian Forces referred to in the *National Defence Act (Canada)*.

Supervisor: means an employee whose job function requires him/her to organize, direct and control the work of others. Supervisors can include team leads, chairs, associate chairs, managers, deans, directors, Members of Executive, or the President and CEO.

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 in duration and may be Full-time or Part-time.

- [Application for Leave Without Pay \(HR143\)](#)
- [Attendance Management Policy](#)
- [Attendance Management Roles & Responsibilities Procedure](#)
- [AUPE Collective Agreement](#)
- [Faculty Collective Agreement](#)
- [Leave without Pay Agreement \(HR139\)](#)
- [Management Terms and Conditions](#)
- [Out of Scope Employees Terms and Conditions](#)
- [Request for Leave of Absence Approval Form \(beyond 12 months\) \(HR127\)](#)
- [Request to Discontinue College Benefits Form \(HR140\)](#)
- [Vacation Management Procedure](#)

N/A

January 2022

January 2018: new
August 2019: Compliance Office template & reorganization update