



# Compassionate Care Leave

York Region District School Board

The following bulletin provides information on applying for Compassionate Care Leaves. It can be found on the Board wide website at <https://bww.yrdsb.ca>

February 2021

## What is a Compassionate Care Leave?



A Compassionate Care Leave is an unpaid, job-protected leave of up to twenty-eight (28) weeks within a fifty-two (52) week period. These 28 weeks do not have to be taken consecutively.

A Compassionate Care Leave may be taken to provide care and support to a specified family member (please refer to page two for the definition of a family member) for whom a qualified health practitioner has issued a certificate/note indicating that the family member has a serious medical condition and there is a significant risk of death within a 26 week period.

**Care or support includes, but is not limited to:** providing psychological or emotional support; arranging for care by a third party provider; or directly providing or participating in the care of the family member.

## How to Apply for a Compassionate Care Leave

You must apply through eForms located on the BWW:

- Log-on to the [BWW](#)
- Click on the Employee Self Serve 
- Click on the  tab on the upper right hand corner to take you to the eForm Home page.
- Training Modules are available on the eForm Home page on how to submit a request for a leave.
- Click "Long Term Leave Request" from the Left side under "eForm Leaves".
- Click ">>>Create a New Request".

### Casual Staff:

Please contact the STAR team for instructions pertaining to this Leave.

[Star.team@yrdsb.ca](mailto:Star.team@yrdsb.ca)

## Employment Standards Act:

The Employment Standards Act legislates the following leave without pay and without loss of seniority of Board paid benefits as follows:

**Compassionate Care Leave** (Under ESA as Family Medical Leave) - Up to 28 weeks within a 52 week period.

## Employment Insurance Act:

For more information on eligibility and waiting periods, please contact your EI office.

[www.servicecanada.gc.ca](http://www.servicecanada.gc.ca) or call **1-800-206-7218** and press "0" to speak with an attendant.

## Documents You are Required to Submit

Section B of: Medical Certificate to Support Entitlement to Family Medical Leave ([https://www.labour.gov.on.ca/english/es/pdf/medcert\\_2019\\_1.pdf](https://www.labour.gov.on.ca/english/es/pdf/medcert_2019_1.pdf))

OR

A Medical Certificate written by a qualified health practitioner that must include the following:

- Name of the family member
- State that the family member has a serious medical condition with a significant risk of death occurring within a specified 26 week period.

The Medical Certificate must be provided and can be attached to your eForm or provided to your Manager/Principal. In accordance to the Employment Standards Act, the employee does not need to have the medical certificate before they can start the leave, but a certificate *must* eventually be obtained. If a certificate was never issued, the employee would not be entitled to the leave.

### Supplemental Employment Benefit Plan

The Board offers a Supplemental Employment Benefit (SEB) Plan. As this is a negotiated benefit for unionized employees, please refer to your Collective Agreement for more details. Non-Unionized staff please contact the Leave Representatives in Human Resource Services for more details. Carefully review the detailed application form that is included in your leave package. This form must be completed as outlined on the SEB agreement form.

### When does my leave end?

Compassionate Care leave eligibility period is up to 28 weeks within a 52 week period. You may **not** remain on a Compassionate Care Leave after one of the following dates, whichever is **earliest**

- The last day of the week in which the family member passes; - **or** -
- When the requested Compassionate Care Leave period has ended.

To avoid over/under payments, please contact your area Leaves Representative as soon as possible for further information on your return to work. The work week is associated with the E.I. rules and run from Sunday to Saturday.

### Who is considered a family member?

Effective January 1, 2018 and according to Bill 148, the specified **family members** for whom a family medical leave may be taken are:

- the employee's spouse (including same-sex spouse)
- a parent, step-parent or foster parent of the employee or the employee's spouse
- a child, step-child or foster child of the employee or the employee's spouse
- a brother, step-brother, sister, or step-sister of the employee
- a grandparent or step-grandparent of the employee or of the employee's spouse
- a grandchild or step-grandchild of the employee or of the employee's spouse
- a brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee
- a son-in-law or daughter-in-law of the employee or of the employee's spouse
- an uncle or aunt of the employee or of the employee's spouse
- a nephew or niece of the employee or of the employee's spouse
- the spouse of the employee's grandchild, uncle, aunt, nephew or niece
- may also be taken for a person who considers the employee to be like a family member.

The specified family members do not have to live in Ontario in order for the employee to be eligible for family medical leave.

### Return to Work Process

Complete and submit your return to work request eForm found by accessing eForms through the [BWW](#) under [Employee Self Serve](#) 4-6 weeks prior to your scheduled return to work. Remember to ensure **ALL** required documents are submitted in order to return to work. It is the responsibility of the employee to ensure that all paperwork is complete and forwarded to Human Resource Services in order to receive your first pay upon your return to work.

#### Forms to Complete:

- [Return to Work Confirmation eForm](#)
- [Annual Compliance Declaration](#) in electronic format, found on Employee Self Serve through the BWW
- [Bank, Address, and Name Change Form \(P532-12\)](#), print and submit to Human Resource Services (if any changes)

Ontario College of Teachers annual fees are payable on the last pay in January of each year. If you are on leave at the time Payroll deducts the fees, you are responsible to contact and pay OCT directly.

**Benefits and Pensions****Long Term Disability****OSSTF, PSSP, CUPE 1196, CUPE 1734 and Non Union:**

Members are given the option to continue or cancel their Long Term Disability (LTD). Should you choose to cancel your LTD benefit during your leave, please refer to the LTD rules for information on penalties associated with the cancellation. A benefit continuation form will be emailed with cost and completion instructions for maintaining or cancelling this benefit, please respond with your intentions on the provided form and if continuation is requested, be sure to complete the required forms for direct withdrawal from your account while on leave.

**ETFO:**

The LTD premiums for ETFO members are mandatory throughout the leave period with no option to cancel this benefit. A benefit continuation form will be emailed with the monthly payment amounts and completion instructions for continuing this benefit. Be sure to complete the required forms for direct withdrawal from your account while on leave.

**OPC:**

As the LTD premiums for the Principals and Vice principals are not deducted from your pay at the Board, please contact OPC directly for LTD continuation or cancellation options 1-(800)-701-2362 extension 263.

**Health, Dental and Life Provincial Benefit Plans**

The **Ontario Teachers' Insurance Plan (OTIP)** administers the benefits for each of the below plans. For continuation of benefits during your leave, please contact OTIP at 1-866-783-6847, [www.otip.com](http://www.otip.com). Communications are sent biweekly for status changes from the Board to OTIP, advance preparation may not be available.

- **ETFO, OSSTF, Permanent PSSP ETFO-OT and OSSTF LTO's and Con-Ed Credit Course** - Employee Life and Health Trust (ELHT)
- **CUPE 1196 and CUPE 1734** - CUPE Education Workers' Benefit Trust (CUPE EWBT)
- **ETFO-OT and PSSP Temp/Terms** - Occasional and Casual Members (OCM)
- **OPSEU** - Ontario Council of Educational Workers (OCEW)

**Cowan Inc.** administers the benefits for each of the below plans. For continuation of benefits during your leave, please contact Cowan at 1-888-330-4010 or [one-t@cowangroup.ca](mailto:one-t@cowangroup.ca). Communications are sent bi-weekly for status changes from the Board to Cowan, advance preparation may not be available.

- **Principals and Vice Principals** - Ontario Non Union Education Trust
- **Non Union staff and Superintendents** - Education Council of Associations for Benefits (CAEAS/ECAB)

**Pension Plans****Ontario Teachers' Pension Plan (OTPP) Members**

It is your right to continue contributing to your pension while on your leave. All pension purchase information will be administered by the Ontario Teachers' Pension Plan. Please review the information available on the Teachers' Pension Plan (TPP) website at [www.otpp.com](http://www.otpp.com) under the Member Info tab. For further information, you may also contact TPP directly at 416-226-2700 or 1-800-668-0105.

**Ontario Municipal Employees Retirement System (OMERS) Members**

Upon your return to work, Human Resource Services will calculate your OMERS pension contributions owing for the break in service. A Leave Reporting Form will be sent to you and payment will be due by December 31 of the year following your return to work.

**Human Resource Services Contact Information**

Please feel free to contact a Human Resource Services Leaves Representative at the Education Centre Aurora 905-727-0022, extension 2479 and you will be directed to the appropriate Leaves Representative.

# Frequently Asked Questions

## **When will I receive my leave package?**

Once Human Resource Services receives the required Long Term Leave eForm request, we will send out a leave package via Board email as soon as possible.

## **Since I am going on leave, do I have to wait until June for my wrap-up pay? (Teachers Only)**

No. Payroll Services will receive notification of your leave start date and the wrap-up pay will be processed on your final pay.

## **Where do I get my Record of Employment?**

A Record of Employment (ROE) is a document that Service Canada uses to calculate your E.I. benefits. After your final pay is issued, Payroll Services will automatically create and submit a Web ROE to Service Canada directly.

Occasional Teachers and LTO's must request ROE directly from [payroll.services@yrdsb.ca](mailto:payroll.services@yrdsb.ca). You will not receive a paper copy of your ROE.

## **Can I change the dates of my leave and, if so, what is the procedure?**

If it becomes necessary to change the dates of your leave, you must submit a new eForm request with your new leave dates.

If the dates change within the doctor's note, a new note will be required.

## **What will I do for income?**

You may apply for Compassionate Care Leave benefits through Service Canada online at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca) or go to your nearest Service Canada Centre.

## **What constitutes a week?**

The work week is associated with the E.I. rules and run from Sunday to Saturday. If your leave end date changes due to an event, please contact Human Resource Services as soon as possible to clarify next steps. Even one day of leave in a week, counts as one week for this leave.

## **I am enrolled in DSP, how does my leave affect my contributions and future DSP leave?**

When you stop working, your contributions will also stop. When you return to work, your contributions will resume. In other words, when you go on your year of DSP leave, you will have less money accrued and the scheduled year of leave does not change. You are encouraged to contact your Leaves Representative for further information.

## **What if I want to return early?**

If you wish to return early, please contact your area Leaves Representative in Human Resource Services for further information on the early return process.

## **Do I have to share the 28 weeks of leave?**

Compassionate Care Leave can be taken for up to 28 weeks in a 52-week period, but as per Employment Standards Act (ESA) the 28 weeks of compassionate care leave (family medical leave) must be shared by all employees in Ontario who take a family medical leave under the ESA to provide care or support to a specified family member.

The family members providing the care or support can be off at the same time or different times, but the 28 weeks in total must be shared.

## **How can I determine the amount that my pension contributions will be during my leave?**

If you are a teacher or an administrator, please review the information available on the Teachers' Pension Plan (TPP) website at [www.otpp.com](http://www.otpp.com) under the Member Info tab. You can also contact TPP directly for further information at 416-226-2700 or 1-800-668-0105.

If you are a member of OMERS, the Pension Representative from the Human Resource Services will contact you upon your return from leave.

## **Missed the Faith Day request deadline?**

If you are returning from your leave after the Faith Day request deadline (September 30), and you wish to observe a Faith Day during the current school year, please ensure that you notify Human Resource Services immediately at [hrrs.faith.days@yrdsb.ca](mailto:hrrs.faith.days@yrdsb.ca) to submit your request.

## **What do I do if my loved one passes?**

In the event that the person you are caring for passes, the leave ends by the Saturday of that week and you are expected to return to work the following Monday. Please contact your Leave Representative in Human Resource Services (pg.3).

## **Who can be contacted to answer staffing questions?**

Staffing questions must be directed to your Principal, Area Superintendent, Manager, Supervisor or Assistant Manager of Operations for Caretaking/Maintenance.

## **What happens to my email account during my leave?**

Anyone who goes on a leave will continue to have access to their Board email account and the [BWW](#).

## **Communications:**

Please note, it is expected that the employee will access their account on a regular basis with an understanding that the Board may communicate important/time sensitive information to the email account.