



ARCHDIOCESE OF REGINA

Policy Name:	Leaves: Critically Ill Family Care Leave	Number:	S4-18
Policy Type:	Employment Benefits and Protection of Employees	Date Approved:	February 2017
Legislation:	Saskatchewan Employment Section 2-57	Date Revised:	February 2019

Policy Statement: The purpose of this policy and procedure statement is to establish effective procedures to be used by employees who may be required to provide care or support to a critically ill family member.

Definitions:

“Care or support” means providing care, psychological or emotional support, other than care provided by a health professional, that is required because of a critically ill family member’s state of health.

“Critically ill adult” means a critically ill adult within the meaning of the regulations made pursuant to the *Employment Insurance Act* (Canada).

“Critically ill child” means a child whose baseline state of health has significantly changed and whose life is at risk as a result of an illness or injury. For the purpose of this policy only, **“child”** is defined as a person who is under the age of eighteen (18) **{and is a child, step-child or foster child of the employee}**.

“Family member” means a member of a class of persons prescribed pursuant to the regulations made pursuant to the *Employment Insurance Act* (Canada).

“Medical certificate” means a certificate signed by a medical practitioner/nurse practitioner stating that the person is critically ill and requires the care or support of the employee and setting out the period in which the care or support is required.

For the purpose of this policy only, a **“parent”** is a person who, in law is a parent (including an adoptive parent) of a critically ill child, has the custody of or is the guardian of the child or a person with whom the child is placed for the purposes of adoption under the laws governing adoption in the province in which the person resides.

Length of Leave

- a) An employee is entitled to critically ill child care leave of up to thirty-seven (37) weeks to provide care and support to the employee's critically ill child family member; and
- b) An employee is entitled to critically ill adult care leave of up to seventeen (17) weeks to provide care and support to the employee's critically ill adult family member.

Procedure:

- a) Requests for critically ill family member leave must be in writing and submitted to the employee's immediate supervisor, together with a medical certificate, as far as possible in advance of the date the employee intends to commence the leave. Upon giving the appropriate notice, an employee shall be granted leave with pay consistent with the term specified in the medical certificate to a maximum period of up to thirty-seven (37) weeks. (Appendix P)
- b) Leave may be taken only during the period that starts at the beginning of the period during which the family member requires the care or support in accordance with the medical certificate issued and ends on the earlier of the following dates:
 - (i) The period of care or support set out in the medical certificate has expired;
 - (ii) The employee is no longer providing care or support to the family member;
 - (iii) The thirty-seven (37) week leave or seventeen (17) week has been taken as the case maybe, as mentioned under "Length of Service" section above.
 - (iv) Fifty-two (52) weeks from the date the medical certificate is issued; or
 - (v) On the death of the employee's family member.
- c) If a critically ill family member remains critically ill after the period specified in the medical certificate ends and if less than thirty-seven (37) weeks has expired since the leave commenced, the employee may extend the leave if a new medical certificate is issued by the qualified medical practitioner or nurse practitioner confirming the illness continues and setting out a new period during which the family member requires the care or support of the employee provided the total combined leave taken does not exceed thirty-seven (37) weeks and the total leave period will conclude with fifty-two (52) weeks that begins on the first day of the week in which the family member first became critically ill.
- d) If a critically ill family member remains critically ill after the expiration of the fifty-two (52) week period that begins on the first day of the week in which the family member became critically ill, an employee is entitled to apply for another unpaid leave period that begins on the first day of the week in which the additional medical certificate is issued.

- e) If more than one family member is critically ill as the result of the same event, the employee is not entitled to a longer leave period than would be available for one family member.
- f) If an employee wishes to end the leave prior to any circumstance specified in the above procedures the employee must give the Archdiocese of Regina written notice as far as possible in advance of the date the employee intends to return to work.

