



ARCHDIOCESE OF REGINA

Policy Name:	Leaves: Crime-Related Child Death or Disappearance	Number:	S4-19
Policy Type:	Employment Benefits and Protection of Employees	Date Approved:	February 2017
Legislation:	<i>Saskatchewan Employment Act Section 2-58</i>	Date Revised:	

Policy Statement: The purpose of the Statement of Policy and procedures is to establish effective procedures to be used by employees who experience the death or disappearance of a child as a probable result of a crime. This is an unpaid leave.

NOTE: **This policy does not apply when the employee has been charged in connection with the crime or it appears probable that the child was a party to the crime.**

Definitions: For the purposes of this policy only:

“Child” is defined as a person who under the age of eighteen (18) **{and is a child, step-child or foster child of the employee}**.

“Parent” is a person who, in law, is a parent (including an adoptive parent), 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.

Procedure:

- a) Subject to the provision of reasonable evidence, and subject to the policy above an employee with more than thirteen (13) weeks of continuous employment with the Archdiocese of Regina is entitled to leave without pay.
 - (i) To a maximum of fifty-two (52) weeks if the employee is a parent of a child who disappears as the probable result of a crime; or
 - (ii) To a maximum of one hundred and four (104) weeks if the employee is a parent of a child who dies as the probable result of a crime.
- b) Requests for crime-related child death or disappearance leave must be in writing and submitted to the employee’s supervisor, together with reasonable written evidence of the reasons for the leave, as far as possible in advance of the date the employee intends to commence the leave or of the date the employee intends to return to work, as the case may be. (Appendix P)

- c) An employee's entitlement to the leave as specified in the above policy begins on the day that the child dies or disappears as the probable result of a crime, as the case may be, and ends as follows:
 - (i) Where leave is taken pursuant to the policy and the child is found within the fifty-two (52) week period that begins in the week the child disappears, the employee is entitled:
 - a) To remain in leave for fourteen (14) days after the day the child is found, if the child is found alive; or
 - b) To take one hundred and four (104) weeks of leave from the day the child disappeared, if the child is found dead, whether or not the employee is still on leave when the child is found.
 - (ii) If circumstances have changed from the initial assumption that the child died or disappeared as the probable result of a crime, leave ends on the day on which it no longer seems probable;
 - (iii) Upon the expiry of fifty-two (52) weeks after the disappearance of a child for leaves under this policy: Procedures-- Section a(i).
 - (iv) Upon the expiry of one hundred and four (104) weeks after the death of a child for leaves under this policy: Procedures-- Section a(ii).
 - (v) If the employee is subsequently charged with the crime, leave ends on the day the employee is charged.
- d) Where a child has disappeared and is found dead more than fifty-two (52) weeks after the week in which the child disappeared, the employee is entitled to take an unpaid leave of up to one hundred and four (104) weeks from the day the child died.
- e) Leave for the disappearance of a child may only be taken in the fifty-two (52) week period that begins in the week that the child disappears.
- f) If an employee wishes to end the leave prior to any circumstance specified in (b), 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.
- g) Leave periods for leaves taken under this policy are included in any calculation of an employee's length of employment. The period of the leave is not included when determining whether the employee has completed any probationary period.
- h) On the expiry of a leave under this policy, an employee who returns to work shall be reinstated in the position occupied by that employee at the commencement of the leave, or if that position is not available, and the leave was longer than sixty (60) days, in a comparable position. The employee shall receive a pay rate that is equal to the greater of the rate the employee most recently earned and the rate the employee would be earning had he or she worked throughout the leave.
- i) During a leave, an employee who is eligible to participate in life insurance plans, accidental death plans, extended health plans and/or dental plans may continue to participate in those plans, unless the employee elects in writing not to do so or the employee provides written notice that he or she does not intend to pay the required

contributions, if any, to the plan(s). If employee contributions are required, the employee is responsible for paying those contributions unless, prior to taking leave or within two (2) weeks thereafter, the employee notifies the Archdiocese of Regina in writing of his/her intention to discontinue contributions during the leave period. Benefits do not accrue during the leave if required employee contributions are not paid. An employee wishing to continue benefits during the leave will be required to provide either post-dated cheques or make other suitable arrangements regarding payment of the employee's portion of premiums for benefit coverage.

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