

Human Resources

Agenda

- ✚ Employer Responsibilities
- ✚ Policies
- ✚ Benefits and leaves
 - ✚ Maternity/Parental/Adoption
 - ✚ Compassionate leave
 - ✚ Short Term Disability
 - ✚ Long Term Disability
 - ✚ Leave of Absences without pay

Employer Responsibilities

- ✿ Have policies in place regarding benefits while employees are on leaves.
- ✿ Ensure polices adhere to employment legislation.
- ✿ Ensure all employees are aware and familiar with the policies



Employment Policies

- ✦ Why are policies important
 - ✦ Ensures terms of employment are understood by all
 - ✦ Allows for pro-active approach
 - ✦ Ensures no surprises when a situation arises

Policies

- ✿ At a minimum - An employer needs to ensure terms of employment are conveyed to employee.
- ✿ Ideally polices and terms of employment should be writing – signed off by both the employer and employee.

Terms of employment

- ✦ Term of employment
- ✦ Probation period
- ✦ Position and responsibilities
- ✦ Compensation
- ✦ Group Health Benefits
 - ✦ Including cost share/plan description/waiting period/employer's policy or rules re: entitlement
- ✦ Vacation and sick leave entitlements
- ✦ Employer property
- ✦ Termination Clauses



Maternity/Parental and Adoption

The services of an employee on maternity/parental/Adoption leave are deemed to be continuous for calculating vacation entitlements, notice of termination, and employee benefits.

Where the employer bears the total cost of a benefits plan, or the employee chooses to continue to pay his or her share of the cost of the plan, the employer **MUST** continue to contribute to the benefits plans while the employee is on leave.



Maternity/Parental and Adoption con't

- ✦ When an employee resumes work after the leave expires, the employee is entitled to all wage increases and benefits to which he or she would have been entitled to had the leave not been taken.
- ✦ Vacation entitlement which is based on 12 months of employment, and other employment rights based on service, include the periods when an employee is on maternity/parental/adaption leave.



Maternity/Parental and Adoption

- ✿ The employer must place an employee in the position held before the leave commenced or in a comparable position.



Maternity/Parental and Adoption

- ✦ Employee Protection
- ✦ No employer shall dismiss, suspend, lay off, demote, or discipline an employee because she or he has applied for maternity or parental leave and no employer shall take into account the intention to take leave in regards to promote or train employees



Compassionate Leave

- ✦ Every employee is entitled to unpaid compassionate care leave from employment for up to 8 weeks to provide care or support to a family member.
- ✦ Employees must submit a request for leave in writing and accompany it with a medical practitioners certificate stating the family member has a serious medical condition with a risk of death within 26 weeks.

Compassionate Leave

- ✦ The services of an employee on compassionate leave are deemed to continuous for calculating vacation entitlements, notice of termination and employee benefits.
- ✦ Where the employer bears the total cost of a benefits plan, or the employee chooses to continue to pay his or her share of the cost of the plan, the employer **MUST** continue to contribute to the benefits plans while the employee is on leave.





Short Term and Long Term Disability

- ✧ Ensure you are familiar with your benefits providers terms in regards to leaves relating to illness.
- ✧ Ensure your employment policies address extended health and dental health benefits.



Leave of Absences without pay

- ✦ Leaves not legislated.
- ✦ Employers are not obligated to grant
- ✦ Considered a break in employment for purposes of service and entitlements.
- ✦ Policies may or may not allow for employees to assume benefits – check with provider and develop workplace policies



RESOURCES

The *Employment Standards Act* sets out the minimum standards that apply in most workplaces in British Columbia.

<http://www.labour.gov.bc.ca/esb/>

Worksafe BC - resource for workplace injury prevention information from WorkSafeBC <http://www.worksafebc.com/>

Canada Labour Code – federally regulated companies sets out minimum standards that apply to workplaces under code jurisdiction

<http://www.hrsdc.gc.ca/en/lp/lo/fll/part3/index-fll.shtml>

Sample HR Policies and Resources

http://humanresources.about.com/od/policysamples/a/policy_samples.htm



✦ Questions?

✦ Handouts

