

LiRN Family Medical Leave Policy

Purpose and Scope

1. This policy is intended to set out the rights and duties for the employee and LiRN if Family Medical Leave is taken.
2. Family Medical Leave is an unpaid job-protected leave provided by the Ontario Employment Standards Act, 2000 (ESA) that may be taken to provide care or support to family members in respect of whom a qualified health practitioner has issued a medical certificate indicating that the family member:
 - a. has a serious medical condition and a significant risk of death within the next 26 weeks (six months); and
 - b. requires the care or support of one or more family members within the next 26 weeks (six months).
3. Compassionate Care Benefits are payable for this leave through the Federal Employment Insurance (EI) Program.
4. If your family member's state of health has changed significantly and whose life is at risk from an illness or injury, please see the Critical Illness Leave policy for more information.
5. If your family member has a serious medical condition but is not at significant risk of death within a period of 26 weeks, please see the Family Caregiver Leave policy.

Definitions

1. **Care and 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.
2. **Family Member** means:
 - a. The employee's spouse or partner.
 - b. The employee's or the employee's spouse or partner's:
 - i. Parent, step-parent, or foster parent
 - ii. Child, step-child, or foster child
 - iii. Grandparent, step-grandparent, foster grandparent

- iv. Grandchild, step-grandchild, or foster-grandchild
 - v. Sibling, step-sibling, or foster-sibling
 - vi. Sibling-in-law, step-sibling-in-law, or foster sibling-in-law
 - vii. Uncle or Aunt
 - viii. Nephew or niece
- c. A relative of the employee who is dependent on the employee for care or assistance.
 - d. The specified family members do not have to live in Ontario for the employee to be eligible for family caregiver leave.
3. **Qualified Health Practitioner.** For the purposes of family medical leave, a qualified health practitioner is a person who is qualified to practice medicine under the laws of the jurisdiction in which care or treatment of the family member is being provided. In Ontario, only medical doctors can issue a certificate. Different types of health practitioners may be able to issue certificates in different jurisdictions - it will depend on the laws of that jurisdiction.

Entitlement

Length of Leave

- 4. Family Medical Leave may be taken for up to 28 weeks within a 52-week period. A request for a leave may be taken for each applicable family member that meets the criteria covered in the Purpose and Scope section. The 28 weeks of Family Medical Leave do not have to be taken consecutively.
- 5. If two or more employees request the leave to care for the same person, the 28 weeks must be shared.

Eligibility

- 6. All employees who are covered by the Ontario Employment Standards Act, 2000 (ESA) are entitled to Family Medical Leave. Employees must apply for Compassionate Care Benefits through the EI program.

Pay During Leave

- 7. This is an unpaid leave.

Group Insurance Benefits

8. Employees on Family Medical Leave continue to participate in the group benefit plans and any optional benefit coverage unless they elect in writing to discontinue participation.
 - a. Any employee paid coverage requires continued payment.
 - b. Employees will have their premiums deducted prior to commencement of the leave, upon return to work, or they may pay by cheque.
 - c. If premium costs are owed to LiRN and the employee does not return to work, LiRN expects to recover the costs from the employee.
 - d. Basic Life Insurance and Basic Accidental Death and Dismemberment (AD&D) coverage are 100% employer paid benefits and coverage continues during the leave.
 - e. Access to the Employee and Family Assistance Program (EFAP) continues during the leave. Employees and their family members are encouraged to use these confidential services to assist with family life transitions, return to work transitions, childcare issues and any other concerns that may arise.

RRSP Contributions

9. Employer RRSP contributions will continue to be made during the leave.

Vacation

10. Vacation continues to accrue throughout the leave.

Sick Days

11. Employees must be actively at work to accrue sick days.
 - a. Sick days will be prorated for absences that are greater than four weeks and will be granted upon return from Family Medical Leave for the year in which the employee returns.
 - b. Sick days are prorated based on the percentage of time remaining in the calendar year.

Personal Days

12. Employees must be actively at work to accrue personal days.

- a. Personal days will be prorated for absences that are greater than four weeks and will be granted upon return from Family Med Leave for the year in which the employee returns.
- b. Personal days are prorated based on the percentage of time remaining in the calendar year.
- c. Personal days are forfeited if not used in the calendar year in which they are received.

Performance Reviews

13. A performance review should be completed and conducted prior to the employee's departure or as soon as the employee returns to work. This review covers the employee's performance prior to the leave.

Salary Administration

14. Any employee on leave on or before the effective date for salary administration will have any applicable salary adjustments applied and effective on the return from leave date.

Roles and Responsibilities

Employees will:

- 15. Provide a medical certificate issued by a qualified medical practitioner (i.e., medical doctor or nurse practitioner) stating that the family member has a serious medical condition with a significant risk of death within the next 26 weeks.
- 16. Meet with their manager prior to the leave commencing to finalize the start date and provide an estimated return date.
- 17. Complete an Election for Continuation or Waiver of Pension And Benefit Coverage During Periods of Statutory Leaves of Absence.
- 18. Advise the Managing Director or, if the employee is the Managing Director, the Chair of the Board, of any changes to their circumstances that will affect the duration or nature of their leave.

Managers will:

- 19. Ensure that the employee's attendance records are up to date prior to the leave and accurately maintained while the employee is on leave.

20. Get advice from and consult with external sources such as the Law Society of Ontario's Human Resources department on any leave related issues as required.
21. Manage the operational impact of the absence, including arranging for interim staff replacement if required.
22. Complete a performance review prior to employee's departure or as soon as the employee returns to work.
23. Administer the policy to ensure compliance with the ESA and the Employment Insurance Act.
24. Meet with the employee taking leave to outline the employee's responsibilities and organizational leave practices and answer any employee questions.
25. Ensure the employee has completed the Election Form for Continuation or Waiver Benefits Coverage & Pension During Periods of Statutory Leaves of Absence.
26. Provide payroll with the necessary documentation in order for cessation of pay and if applicable, pension and benefits, for the leave period.
27. Connect with the employee to stay apprised of any changes to the leave.
28. Arrange for the employee to return to work as required.

[Approved by the LiRN Board of Directors MAY 28 2025](#)