

Leave for Government-declared Emergency

Original Implementation Date:	January 6, 2022	Approved by:	Jacques Dubé, CAO
Date of Last Revision:	NA	Approved by:	
Effective Date of Last Revision:	NA	Approved by:	

1 – Policy Name

Leave for Government-declared Emergency

2 – Purpose

The Municipality recognizes there may be situations when a government agency declares an emergency and provides approved unpaid leave as per the *Nova Scotia Labour Standards Code*. The intent is to provide job protection so employees can take time off from their job for the leave.

3 – Objectives

The objectives of the Policy are:

- To support employees who are impacted by a government-declared emergency.
- To foster work conditions which support employee wellbeing and psychological health.
- To encourage work-life balance.
- To meet legislated requirements under the *Nova Scotia Labour Standards Code*.
- To treat employees in a fair and equitable manner.

4 – Scope

This applies to all employees. For unionized employees, in the event a provision of the applicable Collective Agreement provides a greater entitlement than is outlined in this Policy, the Collective Agreement prevails.

5 – Definitions

In the context of this document:

Emergency means government-declared emergency such a weather emergency, natural disaster, public health emergency or other event. It does not include personal emergencies or illnesses that are not part of a declared emergency.

6 – Roles and Responsibilities

Chiefs/Executive Directors

Chiefs/Executive Directors are responsible for:

- Ensuring proper administration of this Policy and delegating approval authority to directors/managers/supervisors as appropriate.

Directors/Managers/Supervisors

Directors/Managers/Supervisors, who are delegated this authority by the Chief/Executive Director, are responsible for:

- Considering leave requests in accordance with the requirements of the Policy.
- Assessing operational requirements in light of all leave requests.
- Approving/denying leave requests.
- Supporting the employee in addressing situations that require leave while balancing operational requirements.
- Administering the Policy in a fair and equitable manner.
- Adhering to legislated requirements.
- Ensuring leaves are accurately recorded.

Employees

Employees are responsible for:

- Submitting leave requests to their immediate director/manager/supervisor, with as much advance notice as possible.
- Accurately reporting all leaves on a regular basis. It is understood that in certain circumstances (e.g., emergencies, etc.) advance notice may not be possible.

Human Resources

Human Resources is responsible for:

- Providing support to business units and employees regarding the fair and equitable administration of this Policy and any relevant legislation.

7 – Policy Regulations

- A. Employees are entitled to an unpaid leave if they are unable to work because: 1) a Government declares an emergency under the *Nova Scotia Emergency Management Act* or *Health Protection Act*, or under the federal *Emergencies Act*; or 2) a medical officer of health issues a directive or order applying to an individual or a group, for example directing an employee to stay home because they have a contagious disease; or 3) the Government defines some other situation as an emergency by making regulations to the *Labour Standards Code*.

- B. This leave is available to employees: 1) who cannot work because of one of the emergencies or situations listed above; or 2) who cannot work because they need to provide care or assistance to a family member affected by the emergency, if the employee is the only person available to provide care and support in the circumstances. The family member can be any family member for whom an employee can claim Compassionate Care Leave.
- C. The information that the employee needs to give the employer to prove that they are entitled to the emergency leave will depend on the circumstances of the emergency. Employees must complete a *Leave Application Form* to request emergency leave for a government declared emergency.
- D. Employees are permitted to maintain at their own expense any benefits plans, if the employee chooses to do so. Where the employee has elected to continue group benefits, the employee will make arrangements to pay both the employee and employer's premiums on a monthly basis. Where the employee has elected to continue pension participation, the employee will reimburse the employer for both the employee and employer contributions within 26 pay periods after the end of the leave.
- E. Employees may choose to use other relevant leave, provided they have sufficient leave in their bank (e.g., an employee who becomes ill as a result of a public health emergency may choose to use paid sick leave if they have sufficient sick leave available).
- F. There is no accrual of vacation or sick leave entitlements while an employee is on this leave.
- G. The emergency leave ends when the employee: 1) is no longer unable to work because of the emergency; 2) no longer needs to care for a family member affected by the emergency; or 3) when the emergency ends.

8 – Repeal

NA

9 – Effective Date

January 6, 2022

10 – Related Policies and Practices

Internal:

- Applicable collective agreements
- Compassionate Care Leave
- Overtime
- Personal Days Leave
- Sick Leave
- Temporary Non-union Employees
- Vacation

External:

- *Nova Scotia Labour Standards Code*
<https://novascotia.ca/lae/employmentrights/leaves.asp#Emergency>

11 – Policy Review

Review every year.

12 – Contact

MyHR@halifax.ca or 902-490-6145.

13 – Attachments

[Leave Application Form](#)