

## **Terms and Conditions of Employment for Excluded Employees/Appointees**

### **Part 09 – Leave**

Last updated: April 12, 2016

#### **53. Athletic Events Leave: All Regular Employees, OIC Categories A, B and C**

An employee/appointee selected to represent British Columbia or Canada in designated athletic events as an athlete, coach or judging official may be eligible for leave in accordance with [HR Policy 07 – Pay, Benefits and Leave](#).

#### **54. Conferences, Courses: Legal Counsel**

Each legal counsel shall be granted a prescribed amount, set annually via the Crown Counsel Agreement for use in any one fiscal year for the purpose of taking continuing legal education courses, or such other courses or conferences that may be relevant to their professional development, and incidental expenses attached thereto. Leave with pay shall be granted for attendance at such courses or conferences. The allocated budget will be pro-rated for part-time legal counsel.

#### **55. Deferred Salary Leave Program: Regular Employees and OIC Categories A and B**

The [Deferred Salary Leave Program](#) allows eligible employees/appointees in the BC Public Service to defer up to one-third of their gross salary to finance a future leave of absence.

#### **56. Exchange Program Leave: All Regular Employees and OIC Categories A and B**

A deputy minister may grant an employee leave with pay to participate in an exchange program with another government or public agency. During the exchange program, the employee remains an employee of the province for all purposes, continuing to be fully covered by these terms and conditions as appropriate. Where benefits are limited in their out-of-province application, the employee is responsible for arranging and paying for any alternate personal coverage that may be desired. Exchange Program leave is not to be used as a trial period of employment. Upon completion of the exchange, the employee returns to their former position or a position of similar rank and salary. The exchange is formalized between the two agencies and the employee in writing by a signed agreement that clearly identifies the terms governing the exchange, including any agreement on reimbursement of wages and benefits, cost sharing, responsibility for expenses, period of

exchange, leave reporting, and other pertinent conditions. The deputy minister may approve an exchange program that brings a member of another government or public agency to the province in accordance with the provisions of this section. In unusual circumstances, the deputy minister may grant an employee leave without pay to participate in an exchange program with another government or public agency. Where leave without pay is granted, the employee is not covered by these terms and conditions and is not eligible to maintain coverage and entitlements of any kind by personal payment of premiums or contributions.

## **57. General Leave of Absence With Pay**

### **57.1 All Employees / Appointees Except Auxiliary Under 1,827 Hours, Statutory Term and OIC Category D**

A deputy minister shall approve leave of absence with pay for an employee/appointee in an amount equal to or greater than that provided for a bargaining unit employee in all circumstances where bargaining unit employees are granted leave with pay. Leave of absence with pay may also be granted by a deputy minister in other meritorious circumstances.

## **58. General Leave of Absence Without Pay**

### **58.1 All Employees/Appointees Except OIC Category D**

A deputy minister may approve leave of absence without pay. This leave is not to be used to allow an employee/appointee to work for another employer or agency except where the leave is for the purpose of working for a national or international project such as CIDA, CUSO or UN overseas projects. Where leave without pay is granted to work on such projects, the employee is not covered by these terms and conditions and is not eligible to maintain coverage and entitlements of any kind by personal payment of premiums or contributions. On all other leaves of absence without pay the employee/appointee may continue benefit coverage up to the maximum period established in the contract(s) with the insurance carriers by paying the employee and employer share of the premiums.

### **58.2 Additional Leave of Absence Without Pay: Legal Counsel**

Legal counsel shall be entitled to additional leave without pay of five days per year. Such leave may be deferred and accumulated over a period not exceeding five years from the date last used. Legal counsel who elect to take such leave must indicate, in writing to the

employer, the intention to do so no less than six months prior to the end of any year. The scheduling of such time off shall be by mutual agreement. Legal counsel who take additional leave pursuant to this section may maintain coverage for medical, extended health, dental, group life and long term disability plan coverage by paying the premium for such coverage.

### **59. Leave to Obtain Passports, Visas and Other Foreign Travel Documents: All Employees / Appointees Except Statutory Term and OIC Category D**

Where travel or relocation to a foreign country is required by the employer, leave shall be granted for an employee/appointee to acquire necessary travel documents.

### **60. Leave to Run for and Hold Political Office**

#### **60.1 OIC Categories A and B**

An appointee must obtain written approval from their minister before seeking nomination to a municipal or school board office to ensure there is no conflict of interest between the appointee's duties as a public servant and the office to which they seek nomination. An appointee elected to a municipal or school board office must ensure that the duties of that office, other than the regular council or board meetings or meetings of committees of the council or board, do not impinge on the appointee's normal working hours and that there is no conflict of interest between the duties of that office and the duties of the public service position. Where municipal council or school board meetings or meetings of committees of the council or board are held during the appointee's normal working hours, the employer will grant leave without pay to attend such meetings.

#### **60.2 Regular Employees**

An employee must obtain written approval from their deputy minister before seeking nomination to a public office to ensure there is no conflict of interest between the employee's duties as a public servant and the office to which they seek nomination. The deputy minister may, on their own initiative or upon the employee's request, grant leave of absence without pay for up to 90 days immediately preceding the date of election for an employee to seek nomination or election to office. An employee elected to a municipal or school board office must ensure that the duties of that office, other than the regular council or board meetings or meetings of committees of the council or board, do not impinge on the employee's normal working hours. Where municipal council or school board meetings or meetings of committees of the council or board are held during the employee's normal working hours, the employer will grant leave without pay to attend

such meetings. An employee who becomes a Member of the Legislative Assembly or a Member of the House of Commons shall, upon written request to the Head of the Public Service Agency, be granted a leave of absence without pay for up to a maximum of five years. Employment shall be deemed to be terminated when an employee becomes either a provincial or federal minister of the Crown.

**61. Maternity and Parental Leave: Auxiliary Under 1,827 Hours, Statutory Term**

Maternity and parental leave without pay shall be in accordance with the [Employment Standards Act](#).

**62. Maternity, Parental, Pre-Placement Adoption and Extended Child Care Leave: Regular Employees, Auxiliary Over 1,827 Hours, OIC Categories A, B and C**

A deputy minister shall approve leave for an employee/appointee under the same conditions and in an amount equal to that provided for a bargaining unit employee as outlined on [Maternity, parental and pre-placement adoption leaves and leave allowances](#).

**63. Paid Absence Prior to Retirement: All Employees / Appointees Except Statutory Term and OIC Category D**

The scheduling of any earned, purchased or accumulated time to be taken prior to retirement shall be in accordance with [Schedule 7](#).

**64. Voting Leave: All Employees/Appointees Except OIC Category D**

Any employee/appointee eligible to vote in a federal, provincial or municipal election or on a referendum shall have three or four consecutive clear hours, as prescribed by the applicable statute, during the hours when the polls are open in which to cast a ballot.