

Article G.4: Bereavement Leave

❖ Overview

This article establishes a minimum provincial standard entitlement to bereavement leave for employees. This provision is intended to guide the parties in the administration of bereavement leave. The purpose of the provision is to provide leave to employees to deal with the death of a family member.

❖ Article G.4: Bereavement Leave

1. *Five (5) days of paid leave shall be granted in each case of death of a member of the employee's immediate family.*

For the purposes of this article "immediate family" means:

- a) *the spouse (including common-law and same-sex partners), child and step-child (including in-law), parent (including in-law), guardian, sibling and step-siblings (including in-law), grandchild or grandparent of an employee (including in-law), and*
- b) *Any person who lives with an employee as a member of the employee's family.*

2. *Two (2) additional days of paid leave may be granted for travel purposes outside of the local community to attend the funeral. Such requests shall not unreasonably be denied.*

3. *In addition to leave provided in clauses 1 and 2 above, the superintendent may grant unpaid leave for a family member. Additional leave shall not be unreasonably denied. For the purpose of this clause "family member" means:*

a) in relation to an employee:

- I. *a member of an employee's immediate family;*
- II. *an employee's aunt or uncle, niece or nephew, current or former foster parent, ward or guardian or their spouses;*

b) in relation to an employee's spouse or common-law partner or same-sex partner:

- I. *the spouse's parent or step-parent, sibling or step-sibling, child, grandparent, grandchild, aunt or uncle, niece or*

nephew, current or former foster parent, or a current or former ward; and

- c) anyone who is considered to be like a close relative regardless of whether or not they are related by blood, adoption, marriage or common law partnership.*
- 4. Any and all superior provisions contained in the previous collective agreement shall remain part of the collective agreement.*

❖ Explanation

- G.4.1** 1. *Five (5) days of paid leave shall be granted in each case of death of a member of the employee's immediate family.*

For the purposes of this article "immediate family" means:

- a) the spouse (including common-law and same-sex partners), child and step-child (including in-law), parent (including in-law), guardian, sibling and step-siblings (including in-law), grandchild or grandparent of an employee (including in-law), and*
- b) Any person who lives with an employee as a member of the employee's family.*

G.4.1 provides a provincial minimum standard of 5 days and provides a minimum standard definition of "family member" which identifies those individuals whose death may trigger a request for leave pursuant to this article.

- G.4.2** 2. *Two (2) additional days of paid leave may be granted for travel purposes outside of the local community to attend the funeral. Such requests shall not unreasonably be denied.*

G.4.2 allows an employee, upon request, up to two additional days of paid leave for travel purposes to attend the funeral. The employee must be required to travel outside of the local community to attend the funeral. The travel days are for the purposes of traveling to attend the funeral. Travel requests should be addressed on a case by case basis using the reasonableness test.

- G.4.3** 3. *In addition to leave provided in clauses 1 and 2 above, the superintendent may grant unpaid leave for a family member. Additional leave shall not be unreasonably denied. For the purpose of this clause "family member" means:*

- a) in relation to an employee:*

- III. *a member of an employee's immediate family;*
 - IV. *an employee's aunt or uncle, niece or nephew, current or former foster parent, ward or guardian or their spouses;*
- b) *in relation to an employee's spouse or common-law partner or same-sex partner:*
- II. *the spouse's parent or step-parent, sibling or step-sibling, child, grandparent, grandchild, aunt or uncle, niece or nephew, current or former foster parent, or a current or former ward; and*
- c) *anyone who is considered to be like a close relative regardless of whether or not they are related by blood, adoption, marriage or common law partnership.*

G.4.3 allows an employee unpaid bereavement leave for the death of a family member at the discretion of the superintendent. "Family member" is a broader definition than that of immediate family, and immediate family is included within the definition of family member. The superintendent cannot unreasonably deny the request.

- G.4.4** 4. *Any and all superior provisions contained in the previous collective agreement shall remain part of the collective agreement.*

G.4.4 ensures that all superior provisions from previous local agreements remain. It is important to note that superior provisions cannot be "pyramided" on top of G.4 i.e. if the local language previously had 6 days bereavement leave, it can be retained, but it is not 6 days under local language plus 5 days under G.4.

❖ Implementation

This article was effective upon ratification of the 2011-2013 collective agreement.

❖ Relationship to Other Articles

This article should be read on its own and is not related to any other provincial articles.