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TEACHER GUIDE

Leaves of Absence



The Alberta
Teachers' Association

Leaves of Absence

The term leave of absence refers to any time spent away from your teaching position with the approval of your school division or as deemed necessary by your doctor(s) or as provided for under your collective agreement or legislation. Sick leave, maternity leave, parenting leave, adoption leave, extended disability and sabbatical are all examples of leaves of absence. A leave of absence can be short or long and can entail full salary/benefits, partial salary or no salary/benefits at all.

While leaves such as sick leave, maternity/parental leave, and bereavement leave have protections for your position at your school, some leaves of absence, like a longer term personal/private business leave, can expose teachers to risks that can have serious long-term consequences unless preventive measures are taken. Most problems have to do with some aspect of continuity, whether of contract, seniority, entitlement to benefits or membership in the Association. Before taking a leave, you should determine if any of these aspects could become a problem in any given situation.

Conditions Governing a Leave of Absence

The collective agreement sets out conditions under which a leave of absence is granted and outlines the application procedures and the terms and conditions of returning to work.

Prior to accepting any of the conditions proposed by your school division with respect to a leave of absence, you should discuss the matter fully with Association staff in Teacher Employment Services before committing yourself to an agreement.

Insurance and Health Care Benefits

Benefit coverage while you are on leave depends on your collective agreement. For maternity/parental leave, your school division will continue to provide your benefits for up to one year from the start of your maternity leave or parental leave. You are responsible for payment of your benefits beyond that timeframe, with the ability to make arrangements to prepay or repay the division for the premiums. While on sick leave, you will continue to have benefits provided. When you move into accessing EDB or LTD, your benefit coverage depends on the collective agreement.

If your school division will not be contributing toward your insurance and health care premiums during your leave, you will have to pay the premiums yourself to ensure that your benefits do not lapse. Generally, you can do so by arranging a suitable payment schedule (such as post-dated cheques or automatic debit) before beginning your leave. The division will then continue to send your premiums to the insurance company as though you were at work, and your benefits will not be disrupted. If the division does not want to continue your benefit package, and if you are with the Alberta School Employee Benefit Plan (ASEBP), you may arrange coverage through ASEBP as long as you remain eligible for a provincial health plan.

Continuing or discontinuing benefits is a serious decision that may have long-term consequences. Which benefits may be continued without premium, and which may lapse or have disqualification periods for return are only some of the questions to consider. Check your collective agreement and the terms of your benefit plans. It is recommended that you call Teacher Employment Services for advice on your own particular situation.

Pension Benefits

Whether or not your pension contributions continue during your time on leave depends on the type of leave. For example, during any sick time paid by the division (including the health-related portion of maternity leave), you continue to contribute and accrue service the same as when you are at work. If you are accepted by a disability insurance company, you will continue to accrue service, but your contributions will be waived. For most other leaves of absence, you may apply to purchase the service upon your return to work if you are on an employer-approved leave and return to work. The purchase cost is full value, which depends upon your age, current service, and current salary, so apply as soon as possible to minimize the cost. Paid sabbaticals and deferred-salary leave plans are still leaves of absence and must be purchased as above, even though you may be receiving "salary" from your employer. Contact the Alberta Teachers' Retirement Fund Board directly or visit the website www.atrf.com for more information.

Employment Insurance Benefits

Depending on the circumstances, teachers on leave of absence may be eligible for employment insurance (EI) benefits, provided they have enough hours of work during the 52 weeks prior to the leave. For instance, teachers on maternity leave almost always qualify for EI maternity benefits, teachers on unpaid sick leave not covered by extended disability benefits will often qualify for EI disability benefits, and teachers on personal leave may qualify for regular EI benefits, depending on the circumstances of the leave. More information on this topic is available on the Service Canada website, and by calling Teacher Employment Services.

Association Membership

You must maintain Association membership to maintain your employment while on leave. Since your school division does not remit Association fees on your behalf during a leave of absence, you must pay your Association membership fee directly. A teacher on leave of absence pays a membership fee of \$96 per year, prorated for shorter leaves. The Association invoices teachers on leave twice a year (in September and February). Note that the Code of Professional Conduct for Teachers and Teacher Leaders continues to apply to members on leave of absence.