



December 18, 2019

To: Regional Vice Presidents  
Branches & Facilities

## Leave with Pay for Family-Related Responsibilities New Article 26.12

Recent changes to the Canada Labour Code, legislated by the Federal Government, require CATCA and NAV Canada to make changes to our collective agreement. A new entitlement of five paid days per year for personal leave will take effect immediately. Article 26.12 will be inserted into the collective agreement at the conclusion of this round of bargaining.

CATCA employees who have completed three consecutive months of continuous employment are now entitled to a leave of absence for up to five paid days per calendar year for carrying out responsibilities related to health care of a family member, carrying out responsibilities related to the education of family members under the age of 18, addressing any urgent matter concerning themselves or a family member, or attending a citizenship ceremony.

It is important to note that each leave request shall be taken for a full shift regardless of the length.

With respect to the interpretation of family-related responsibilities, the examples below will assist with the following questions:

- What is considered a responsibility related to the health or care of an employee's family member?
- What is considered a responsibility related to the education of a family member under the age of 18 years?

For personal leave, carrying out responsibilities related to the health or care of any of their family members **would** include activities such as, but not limited to the following:

- Accompanying the family member to an appointment with a health care practitioner;
- Accompanying the family member to a surgery;
- Accompanying the family member to the hospital or other medical institutions (i.e. labs, clinics) to undergo scheduled medical tests;
- Picking up the family member from school due to an illness, injury or medical emergency;
- Taking care of a young child for a day following an unexpected school or daycare closure;
- Taking care of a sick or injured family member at home;

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- Making arrangements for a family member's long-term care; and
- Helping move an elderly family member into a more suitable residence.

However, the following activities **would not qualify** as health or care-related responsibilities:

- Attending your own personal medical appointments;
- Attending a family social gathering;
- Routinely walking the dog, buying groceries or watering the plants of a family member
- Helping with a family member's wedding arrangements;
- Dealing with non-urgent legal issues (i.e. wills, powers of attorney, do not resuscitate orders) for the family member; or
- Picking up mail, going to the bank, paying bills for the family member.

To carry out responsibilities related to the education of any of their family members who are **under 18 years of age**, personal leave **would** include activities such as, but not limited to:

- Attending parent-teacher interviews and meetings;
- Meeting with education specialists to optimize the child's development;
- Meeting with a school counsellor or principal to discuss behavioural challenges at school;
- Accompanying a student with special needs to ensure he or she can participate in an educational activity; and
- Attending a school orientation or registration meeting.

However, the following activities **would not qualify** as education-related responsibilities:

- Attending a school-related performance;
- Accompanying a child on an extracurricular activity;
- Accompanying an independent, older child for their first day at school;
- Bringing a child to a community art class or sporting activity; or
- Helping a family member study for an exam.

Additionally, please note that for all of the above, the employer may, in writing, no later than 15 days after an employee's return to work, request that the employee provide documentation to support the reasons for the leave, and the employee shall provide it where reasonably practicable.

The above examples have been provided by Labour Canada/ESDC to assist with the interpretation of personal leave. However, there may be other circumstances not listed here that could be appropriate for this leave. Each request will be considered on a case-by-case basis. If you are unsure, please contact your RVP to discuss whether your request may fall under this leave, another type of leave, or does not qualify for any type of leave.

On behalf of the Executive Board,

Peter Duffey  
President

Doug Best  
Executive Vice President

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