

# **Rural Municipality of Brenda-Waskada**

## **Province of Manitoba**

### **By-Law # 05-2023**

**BEING** a By-Law of the Municipality of Brenda-Waskada setting out the policy for vacations, statutory holidays, sick leave, insurance and pension plans and other benefits.

**WHEREAS** Section 406 of the Municipal Act provides that the Council shall, by By-Law, provide for the payment of all Municipal Officers and employees whose remuneration is not fixed by Act of Legislature:

**AND WHEREAS** the Municipality deems it desirable to pass a By-Law providing for annual vacations, statutory holidays, sick leave, insurance and pension plans and other benefits;

**NOW THEREFORE BE IT IS AND HEREBY ENACTED** as a By-law of the Municipality of Brenda-Waskada in Council duly assembled as follows:

#### **(a) Annual Vacations**

1. Two (2) weeks vacation for service from one (1) year to and including three (3) years.
2. Three (3) weeks vacation for service from four (4) years to and including seven (7) years.
3. Four (4) weeks vacation for service from eight (8) years to nineteen (19) years.
4. Five (5) weeks vacation for service from twenty (20) years to termination.

#### **(b) Statutory Holidays**

1. The following days shall be observed as holidays by all employees without deduction of any pay therefore:

New Year's Day	Canada Day	Thanksgiving
Good Friday	Christmas Day	Labour Day
Victoria Day	Remembrance Day	Easter Monday
August Civic Holiday	Boxing Day	Louis Riel Day

National Day of Truth and Reconciliation

and any other day, if and when, proclaimed and approved by the Provincial or Municipal Governments, subject to the following conditions;

(a) The observance of the above holidays may be made on days other than the calendar date when so proclaimed by the Provincial or Municipal Governments.

(b) Where a holiday falls on an employee's day off, such employee shall be granted an additional day off, which shall be either the Friday proceeding or the Monday following the holiday as determined by the Municipality.

#### **(c) Sick Leave**

1. That all pay and allowances will be payable for all full or part time employees for all their earned sick leave time as outlined hereafter.

2. Sick time taken in excess of eligible credits accrued will be considered as time taken without pay.
3. The employee cannot earn sick leave while in receipt of benefits from the Workers Compensation Board or while in receipt of Employment Insurance.
4. It is not the intention of Council to make any cash reimbursements to a retiring employee or a departing staff member if they have unused sick leave credits.
5. An employee is not eligible for sick leave if he is employed on a casual basis or during any period in which he is on a leave of absence without pay or under suspension.
6. That paid sick leave will be earned at the rate of 1½ days per month of full time employment (prorated for less than full time, i.e., half time is ¾ of a day per month) for all employees of the Municipality, less actual paid sick leave utilized during such period.
7. That the maximum accumulation of sick leave credits shall not exceed ninety-five (95) working days.
8. That employees shall become eligible for paid sick leave on the first calendar day of the month following completion of (3) continuous month of employment.
9. That, subject to paragraph 4, there shall be no waiting period for payments to be payable to an employee.
10. That the termination of sick leave benefits will occur on the date of termination of employment except under the following conditions.
  - (a) If an employee has been on sick leave at the time of termination of employment the employee will be entitled to the full total of paid sick leave days.
11. That a doctor's certificate specifying the necessity of absence may be required by the Municipality before paid sick leave is allowed.
12. That after a prolonged illness, a medical certificate indicating the employee's fitness to resume duties may be required.
13. That time away from work for chiropractic medical, dental, appointments/visits shall be considered sick leave.
14. Council has adopted a Pandemic Policy. Please refer to Policy HR-011.

**(d) Missed Work Due to Weather**

1. When an employee is unable to make it to their scheduled workplace due to weather conditions, they must take the missed time as holiday days, banked time or make up the hours.

**(e) Family Related Leave**

1. An employee shall be entitled to leave with pay up to a maximum of five (5) days in each fiscal year to tend to an immediate family member's illness, dental appointment, etc.

Immediate family shall be defined as spouse including common law partner, child, child of spouse or common law partner, parent, parent of spouse or common law partner, brother, brother of spouse or common law partner, sister, sister of spouse or common law partner, or any other relative permanently residing with the employee.

This leave shall be granted upon the approval of the CAO and charged against the employees sick leave credits. Further leave may be granted upon application and the approval of Council. Any additional leave granted would be deducted from vacation credits.

**(f) Death Benefits**

1. In the event of the death of a permanent employee an amount equivalent to four (4) week's salary shall be paid to the employee's dependent (s) or estate.

**(g) Severance or Retirement Benefits**

1. Upon severance or retirement, all employees with (5) years or more of continuous service shall be entitled to a separation allowance of one (1) weeks' pay for each five (5) years' service, maximum recognition twenty (20) years. This section does not apply to employees discharged for cause.

**(h) Municipal Employees Benefits Program**

1. That the Municipality agrees to pay one hundred (100) percent of the premiums to the Municipal Employees Benefits Program for group pension and long-term disability plans. And one hundred (100) percent of the premiums for Group Life Insurance.

**(i) Bereavement Leave**

1. An employee will be granted five (5) days of leave without loss of regular wages in the event of the death of their spouse or common-law partner, parent or step-parent, mother-in-law, father-in-law, child or step-child, son-in law or daughter-in-law, brother, sister.
2. An employee will be granted three (3) days of leave without loss of regular wages in the event of the death of an employee's grandparent, aunt, uncle, niece or nephew.
3. Additional time may be taken if necessary on a case by case basis upon approval of the Chief Administrative Officer or Council.

**(j) Health and Dental Plan**

1. That the Municipality agrees to pay one hundred (100) percent of premiums
2. An employee that is absent from work and/or in receipt of Employment Insurance due to illness, compassionate care, maternity leave etc is entitled to having their premiums paid in the following tiers:
  - a. 1 – 15 weeks absence – premiums paid 100% by the Municipality
  - b. 16 – 28 weeks absence – premiums to be split 50/50 between employee and Municipality
  - c. 29 - 52 weeks absence – premiums to be paid 100% by the employee

**(k) Termination of an Employee**

1. An employee wishing to voluntarily terminate his employment with the corporation must give the corporation 2 weeks' notice in writing of his intention to terminate.
2. When the corporation wishes to terminate the employment of an employee, the guidelines as set forth by the Manitoba Employment Standards will be followed.

**THAT** By-Law #05-2021 of the Municipality of Brenda-Waskada be and the same is hereby repealed.

**THAT** this By-Law shall come into effect upon being passed.

**PASSED AND ENACTED** by the Municipality of Brenda-Waskada, in Council

duly assembled this 10<sup>th</sup> day of October 2023 A.D.

---

Head of Council

---

Chief Administrative Officer

Read a 1<sup>st</sup> time this 11<sup>th</sup> day of September 2023 A.D.  
Read a 2<sup>nd</sup> time this 11<sup>th</sup> day of September 2023 A.D.  
Read a 3<sup>rd</sup> time this 10<sup>th</sup> day of October 2023 A.D.