

## Bereavement Leave: New Provisions, 2020-2023 Provincial Entente

### 1. Regular teachers or teachers with part-time contracts

New options have been added since the new collective agreement was signed on November 17, 2021.

In all cases, you have two options to choose from. The leave may:

- be consecutive to the death **or**
- include the ceremony to mark the death. The choice is yours!

In addition, in a case where a person referred to in lines 1), 2) and 3) of Table #1 and in lines 1) and 2) of Table #2 is at the end-of-life stage and has requested medical assistance in dying within the meaning of the *Act respecting end-of-life care* (CQLR, chapter S-32.0001), the teacher may begin the leave from the day preceding the day of death.

In every case the leave comprises a specific number of consecutive days, whether they are working days or not.

If you elect to take the leave consecutively to the death, leave begins on the day of the death, unless you have worked a full day, in which case it begins the following day. In addition, if you take leave consecutive to the death, you may keep one of the days, whether a working day or not, to attend the ceremony marking the death, if the ceremony takes place on a working day.

**Table #1 for regular teachers or teachers with part-time contracts**

|    | <b>The deceased person</b>   | <b>Number of days of leave<sup>1</sup></b>      |
|----|--|---|
| 1. | The teacher's spouse or child, <sup>2</sup> or the spouse's child living under the same roof   | 7 days  |
|    | The spouse's minor child not living under the same roof  | 3 days <u>including at least 2 working days</u> |
| 2. | The teacher's father, mother, brother or sister  | 5 days  |
| 3. | The teacher's grandfather, grandmother, grandson, granddaughter, son-in-law or daughter-in-law, or the father, mother, brother or sister of the teacher's spouse | 3 days <sup>3</sup>                             |

<sup>1</sup> The teacher is entitled to one additional working day, without loss of pay, if the ceremony marking the death takes place more than 240 kilometres from the teacher's place of residence, or two additional working days if the ceremony takes place more than 480 kilometres from the place of residence.

<sup>2</sup> Including a child who lives with the teacher and for whom adoption procedures have been undertaken.

<sup>3</sup> This leave is conditional upon the maintenance of family ties or marriage ties. As a result, this leave will not be granted if the marriage has been dissolved by divorce, has been annulled, if the civil union has been dissolved by a court ruling or notarized joint declaration, or where the definition of spouse no longer applies.

The preceding paragraph does not apply if these ties (marriage, civil union, spousal) have been broken by the death of the teacher's spouse.

## 2. Teacher with a by-the-lesson contract

A teacher by-the-lesson who taught at the SB or SSC during the school year preceding the current school year is entitled to the following leave:

**Table #2 for teachers with a by-the-lesson contract**

|    | <b>The deceased person</b>  | <b>Number of days of leave<sup>4</sup></b>      |
|----|---|---|
| 1. | The teacher's spouse or child, <sup>5</sup> or the spouse's child living under the same roof or not of full age | 3 days <u>including at least 2 working days</u> |
| 2. | The teacher's father, mother, brother or sister   | 2 days <u>including at least 2 working days</u> |

**Below are some examples to illustrate the above rules. Please adapt them to suit your particular situation.**

If you elect to take the leave when the death occurs:

1. For a death that occurs on a Saturday, the leave begins on the Saturday.
2. For a death that occurs on a Monday, when you have worked all day on Monday, the leave begins on the Tuesday.
3. Your mother dies on Saturday, December 11 and the ceremony marking her death will take place on Friday, January 14, at a distance of more than 480 km from your home. Your 7-day leave ends on Friday, December 17 inclusively, and you may keep the day of December 11 to attend the ceremony marking the death. In addition, because of the distance to be travelled, you may take leave on Thursday, January 13 and Monday, January 17.

If you elect to take the leave around the time of the ceremony marking the death:

1. The ceremony marking the death of your mother takes place on January 14. You have 7 consecutive days of leave (working days or not). The sequence of days must be organized in such a way that it includes the day of the ceremony marking your mother's death. It can therefore begin no earlier than January 8 and no later than January 14.

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<sup>4</sup> The teacher is entitled to one additional day of leave, without loss of pay, if the ceremony marking the death takes place more than 240 kilometres from the teacher's place of residence.

<sup>5</sup> Including a child who lives with the teacher and for whom adoption procedures have been undertaken.

### 3. Casual supply teachers and hourly-paid teaching staff

Although the collective agreement does not provide for leave for these people, section 80 of the *Act respecting labour standards* does so.

|    | <b>The deceased person</b>   | <b>Number of days of leave</b> |
|----|--|--------------------------------|
| 1. | The teacher's spouse or child, the spouse's child, the teacher's father, mother, brother or sister   | 5 days, 2 of which are paid    |
| 2. | The teacher's grandfather, grandmother, grandson, granddaughter, son-in-law or daughter-in-law, or the father, mother, brother or sister of the teacher's spouse | 1 unpaid day                   |

The leave must be taken between the time of death and the funeral. In other words, some days of leave can be used at the time of death, and others at the time of the funeral, with a return to work in between. The days of leave need not be taken consecutively.