**SAMPLE LANGUAGE**Article XX.X

# **Converting Recall Notice from Layoff into Leave of Absence**

X.1 An employee who is recalled has the right to convert their return-to-work notice into a job-protected leave, including but not limited to leaves related to family responsibilities, critical illness, domestic violence and maternity or parental leave, provided the employee is eligible for job protected leave. The employer shall notify employees of this right on their recall notice. Upon receiving the recall notice, the employee shall immediately notify the employer of the job protected leave for which he or she is eligible.

X.2 Employees on job protected leave will continue to accrue seniority, receive employer sponsored or administered benefits and accrue other employment related benefits such as vacation, pension and termination entitlements.

X.3 At the conclusion of the job protected leave, employees have the right to return to work and exercise any bumping rights that may be available under the collective agreement.

X.4 There is no obligation on the part of an employee on layoff to accept an offer of term or temporary employment nor will the laid off employee forfeit their position on the recall list if they reject a temporary or term appointment. For the purpose of this provision, a term or temporary recall is defined as a work opportunity of 13 or less consecutive weeks.