

Ontario Association of Architects

Policy Name **Leave Policy**

Applications for Relief from Membership Requirements Due to Medical, Compassionate, or Family Leave or Other Circumstances for Architects and Intern Architects

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Council has adopted a policy that a leave of absence from membership requirements may be granted by the Executive Director for up to one year at a reduced fee for medical, maternity or parental leave or on compassionate or other specified grounds. Relief under this policy may be granted a maximum of three times within a ten-year period.

A leave of absence is available to:

1. Architects, and Licensed Technologists OAA who are unable to complete Continuing Education requirements, and at the same time are unable to practise architecture (as set out in the terms, conditions and limitations of their licence, as applicable) or to work in a related field in Ontario during the leave period;
2. Architects and Licensed Technologists OAA responsible for personal supervision and direction of the practice who are unable to complete Continuing Education requirements, and at the same time are unable to practise architecture during the leave period;
3. Intern Architects who are unable to complete the requirements of the Intern Architect Program, and at the same time are unable to work in architecture or a related field.
4. Non-Practising Architects who are unable to complete Continuing Education requirements and at the same time who are unable to work.

The policy permits those individuals who have been granted a leave of absence from the requirements as specified in this policy to maintain their licence or intern architect status and to pay a reduced (waived or deferred) fee during the leave period provided that all criteria set out in this policy are met.

The criteria that must be met by Architects, Licensed Technologists OAA; Architects/Licensed Technologists OAA responsible for the personal supervision and direction of the practice; Intern Architects; and Non-Practising Architects who request a leave of absence, are the following:

1. Architect/Non-Practising Architect/Licensed Technologist OAA must:

- a) Provide a written request for a leave of absence including the following:

- i. The reason for the leave of absence which may include medical, maternity or parental leave, compassionate or family reasons, extended unemployment or return to school.
 - ii. Supporting documentation that may include a doctor's letter, or application for family leave, Workers' Compensation or Employment Insurance benefits.
 - iii. Confirmation of the start date of the leave period.
 - iv. Confirmation of the estimated length of time that the member will be unable to practise, where possible.
 - v. Where the architect/licensed technologist OAA is not practising or working in architecture or a related field during a maternity or parental leave period, that leave period is considered to be up to a maximum of 18 months consistent with the maximum federal government benefit period. The individual must confirm the length of the maternity or parental leave period and provide documentation to support that time period.
 - vi. Where the non-practising architect is not working during a maternity or parental leave period, that leave period is considered to be a one-year period consistent with the maximum federal government benefit period. The individual must confirm the length of the maternity or parental leave period.
- b) Sign an undertaking that the architect/licensed technologist OAA will not be employed in architecture or a related field during the leave period.

2. Architect/Licensed Technologist OAA Responsible for Personally Supervising and Directing the Practice must:

- a) Assign another architect as a locum to personally supervise and direct the practice during the leave period when the architect responsible for the personal supervision and direction of the practice is incapacitated or unable to practise. The locum architect must not be an architect who is also responsible for personally supervising and directing another practice.
- b) Notify the Registrar of the name of the locum architect at the time that the leave of absence is requested.
- c) File with the Registrar, a Statutory Declaration in which the architect responsible for personally supervising and directing the practice affirms that he/she will not engage in the practice of architecture or hold himself/herself out as engaging in the practice of architecture, from the initial date of the leave period to the end of the leave period.
- d) these provisions also apply to a Licensed Technologist OAA responsible for Personally Supervising and Directing a Practice, within the terms, conditions and limitations of his/her licence.

3. Intern Architect must:

- a) Provide a written request for a leave of absence including the following:
 - i. The reason for the leave of absence which may include medical, maternity or parental leave, compassionate or family reasons, extended unemployment or return to school.
 - ii. Supporting documentation that may include a doctor's letter, or application for family leave, Workers' Compensation or Employment Insurance benefits.
 - iii. Confirmation of the start date of the leave period.

- iv. Confirmation of the estimated length of time that the intern architect will be unable to work in architecture or a related field, where possible.
- v. Where the intern architect is not working in architecture or a related field during a maternity or parental leave period, that leave period is considered to be up to a maximum of 18 months consistent with the maximum federal government benefit period. The intern architect should confirm the length of the maternity or parental leave period and provide documentation to support that time period.
- b) Sign an undertaking that the intern architect will not be employed in architecture or a related field during the leave period.
- c) Complete 940 hours of mandatory experience in Ontario within three years prior to application for licence regardless of the length of the leave period, in accordance with Section 31 of Regulation 27 under the *Architects Act* and the requirements in *Appendix B: Specific Provincial Association Requirements of the Intern Architect Program, Section 2.6 – Local Knowledge and Currency of Experience*.

Intern Architects please note that time spent on leave in accordance with this policy will not be counted towards the 5 year period after which the Intern will be subject to the same fee as those members who are licensed architects.

The written request for a leave of absence and all supporting documentation will be reviewed by the Executive Director, which may grant the leave of absence as requested or may deny the leave of absence, giving written reasons to the applicant for the denial.

The terms of the fee payable for the leave period are as follows:

1. To be considered for a leave of absence and reduced fee, individuals must be in good standing and must not owe any monies to the Association.
2. A reduced annual leave fee, equivalent to the annual fee charged to Retired Members, will apply to the one-year leave period to cover administration costs.
3. Any leave period that starts within the first two months of the calendar year would be invoiced for the full annual reduced fee for that year.
4. For a leave period that starts part of the way through the calendar year, where the full annual fee for the year has already been paid, the fees would be calculated to be consistent with the existing Council Refund Policy where the leave period starts as follows:

Architects, Licensed Technologists, Non-Practicing Architects and Intern Architects with 5+ Years status:

January 1 until February 28 – Full membership fee refunded minus the annual leave fee
March 1 until March 31 – $\frac{3}{4}$ of the membership fee minus the annual leave fee
April 1 until June 30 – $\frac{1}{2}$ of the membership fee minus the annual leave fee
July 1 until September 30 – $\frac{1}{4}$ of the membership fee minus the annual leave fee
October 1 until December 31 – no refund but the annual fee for the next calendar year would be based on the full one-year annual leave period fee.

Intern Architects with less than 5 Years status;

January 1 until March 31 – Full membership fee refunded minus the annual leave fee
April 1 until September 30 – $\frac{1}{2}$ of the membership fee minus the annual leave fee
October 1 until December 31 – no refund but the annual fee for the next calendar year would be based on the full one-year annual leave period fee.

Refunds will be calculated based on when the application is made for leave and granted. Refunds will not be

granted for leave retroactively.

5. Where the leave period is less than one year, or the one-year leave period ends at some point during the calendar year, the full annual fee for the remainder of the year would be calculated proportionately as outlined below:

January 1 until March 31 – Full membership fee will be invoiced at the beginning of the year

April 1 until September 30 – ½ of the membership fee

October 1 until December 31 – ¼ of the membership fee

Where the architect, non-practising architect, licensed technologist OAA or intern architect has been granted a leave of absence from membership or intern architect requirements, the following should be communicated to the individual in writing:

1. The individual may re-apply to extend the leave of absence beyond the initial period on an annual basis for up to one year at a time with appropriate supporting documentation.
2. Where an architect /non-practising architect/licensed technologist OAA chooses to surrender his/her licence or retires during his/her leave period, the policy *Continuing Education Requirements for New Members, Re-application, Re-instated Members and Members Under Suspension* would apply.
3. An architect/licensed technologist OAA who extends the leave of absence beyond three years is subject to the same currency requirements on re-application or re-instatement to full member status as an architect who resigns his/her licence or who retires. It is the responsibility of the member to understand and monitor this three year currency requirement particularly those availing themselves of the 18 month period available for parent leave only.
- 4 Where an intern architect allows his/her status to lapse during the leave period, the policy for *Experience Submission Requirements and Retroactive Entry Charges* for any experience recorded during that period would apply on re-appointment.
5. Architects/licensed technologists OAA and architects/licensed technologists OAA who are responsible for personally supervising and directing a practice who violate the terms of the undertaking and are found to be employed in the practice of architecture or other related field during the period of the leave of absence, are subject to the Complaints and Discipline process.
6. Where an architect/non-practising architect/licensed technologist OAA has applied for a maternity or parental leave or other non-medical leave, the architect should be encouraged to comply with continuing education requirements during the leave period.

Where the individual has been able to complete at least 50% of the requirements of the current Continuing Education cycle, and substantiates incapacity for the rest of the cycle, the cycle would be deemed complete.

Where the individual returns in the last six months of the two-year cycle, he/she will not be required to accumulate Continuing Education hours for that cycle but will be required to complete the requirements of the subsequent cycle in full.

Questions regarding this Policy should be directed to OAA Executive Assistant, Executive Services, Tina Carfa at tinac@oaa.on.ca