

**Alberta Council of Turnaround  
Industry Maintenance Stakeholders**

**INTERPRETATION**

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**ISSUE:** A Temporary Foreign Worker ("TFW") is unable to work as a result of a serious non occupational accident or illness (supported by written documentation from a medical doctor), or due to other extenuating circumstances such as death of an immediate family member or immediate family emergency and requests a compassionate layoff from his/her employer in order to return to his/her country of residence.

**QUESTION:** If the worker is provided a compassionate layoff is he/she entitled to the return airfare had the worker stayed on the job until the job was completed.

**DEFINITIONS:** Country of Residence – The country from where the TFW was recruited.

Medical Doctor – A professional doctor who is licensed to practice medicine in the Province of Alberta.

Immediate Family – shall mean spouse, children, brother, sister, parents, and grand parents.

**INTERPRETATION:** ACTIMS recognizes that TFWs who are away from home may find themselves in circumstances and situations which warrant special consideration. Under such circumstances should the worker fall seriously ill, sustain a non occupational injury or is faced with some other extenuating circumstance beyond the worker's control, and the employer is provided irrefutable evidence of such, the employer may choose to terminate the employment relationship upon request from the worker.

In such cases the employer will pay for the return airfare (original receipts and boarding passes must be provided) that the worker would have been paid had he/she stayed until the completion of the job and the turnaround season.