

## **Model Language Sick Leave Provisions**

### Definition

An employee who becomes incapacitated at work through illness not covered by The Worker's Compensation Act, 1979 or The Automobile Accident Insurance Act, shall be entitled to receive full pay for sick time to the extent that the employee may have established sick pay credits under this Article.

### Accumulation

Employees shall accrue sick leave at the rate of two (2) days per month.

### Maximum Accumulation

The unused portion of an employee's sick leave shall accrue to the employee's credit.

### Extension of Sick Leave

In special cases of illness of employees a special request for extra sick leave may be submitted to the Board.

### Sick Leave Without Pay

Sick leave without pay may be granted at the sole discretion of the Board to an employee who does not qualify for sick leave with pay or who is unable to return to work at the termination of the period for which sick leave with pay is granted.

### Sick Leave Record

The total of such individual accrued credits will be supplied to each employee at the start of each school year.

### Utilization

When sick leave is required, it shall be drawn from the current year's entitlement first. If more than twenty-four (24) working days sick leave is required, then sick leave will be drawn from the employee's unused accumulation.

Where medical appointments for the employee or the employee's spouse, dependent children or dependent parents cannot be made outside of daily hours of work, or where specialist appointments outside the school division are required, a claim may be made against the Sick Leave Entitlement to a maximum of two (2) working days per month.

An employee shall also be eligible to use a maximum of ten (10) days of accumulated sick leave per year without loss of pay or benefits, to attend to the medical needs of a family member during an illness.

#### Doctor's Certificate

An employee may be required to produce a certificate from a duly qualified medical practitioner for any illness in excess of three (3) days, certifying that such employees are unable to carry out their duties due to illness. The Employer agrees to reimburse the employee for any fee charged for the medical certificate.

#### Sick Leave While on Vacation

Employees who are on annual vacation can substitute vacation time with accumulated sick leave, if hospitalized, or if confined to bed under a doctor's order for a minimum of three (3) consecutive days, while on vacation. A medical certificate substantiating proof of confinement may be required.

The period of vacation so displaced shall either be added to the vacation period originally requested or reinstated for use at a later date.

#### Protection of Seniority

An employee who has exhausted his/her sick leave entitlement and Long Term Disability, and for medical reasons, is unable to return to work, shall be granted leave of absence without pay. During this period the vacation, position classification and seniority entitlements shall be maintained but shall not accrue to the employee's credit.

Upon the written authorization of the employee's attending physician, and after providing the Board with thirty (30) days written notice, the employee shall have the right to return to the service of the Board and preference as to placement in a position consistent with the position classification and seniority at the time the employee commenced their sick leave.

#### WCB and EI Top Up

Where an employee is absent from work for medical reasons due to an accident or not receiving coverage under their sick leave benefits or long term disability, and is eligible for income replacement benefits pursuant to The Worker's Compensation Act, 1979, and federal Employment Insurance Benefits (EI) the Employer shall pay to the employee the amount necessary in order that the total take home sum the employee receives from the Worker's Compensation Board or the federal Employment Insurance Benefits and the Employer is equal to the employee's regular take home pay.