

# POLICY # PE 008

## SICK LEAVE

DEPARTMENT: PERSONNEL

<b>APPROVAL DATE:</b>	14-01-96 (January 1996)
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### 1. Overview

Sick leave is provided by the County of Vermilion River (the “County”) for the purpose of maintaining the regular earnings of an employee when he or she is absent from work due to the employee’s illness, disability, quarantine, or accident for which compensation is not payable under the *Workers’ Compensation Act*.

### 2. Entitlement to Paid Sick Leave

The following employee classifications are entitled to paid sick leave in accordance with this Policy:

1. Permanent Full-time Employees;
2. Permanent Part-time Employees (working 20 hours or more per week);
3. Permanent Seasonal Employees; and
4. Temporary Term Employees (working 20 hours or more per week).

All other employee classifications are not entitled to paid sick leave. However, when an employee is not entitled to paid sick leave, or has exhausted his/her accrued paid sick leave, the employee may nonetheless be eligible for a leave without pay when unable to work due to illness, disability, quarantine or accident for which compensation is not payable under the *Workers’ Compensation Act*.

Probationary employees do not accrue sick leave credits while serving probation..

### 3. Accrual and Use of Paid Sick Leave



The accrual and use of sick leave credits by eligible employees shall be administered in accordance with the following, but in no case shall exceed a maximum of 75 days for Full-time and prorated maximums for Part-time:

- (a) Permanent Full-time Employees (2 days), Permanent Part-time Employees (working 20 hours or more per week) will be prorated according to Full-time Equivalent (FTE) and Temporary Term Employees (working 20 hours or more per week) shall accumulate sick leave credit of:
  - (i) 2 days per month during the first year of employment to a maximum of 10 days annually; and
  - (ii) 2 days per month during each subsequent year of employment to a maximum of 20 days annually;
- (b) Permanent Seasonal Employees shall accumulate sick leave credit of:
  - (i) 2 days per month during the first season of employment to a maximum of 10 days annually; and
  - (ii) 2 days per month during each subsequent season of employment to a maximum of 16 days annually;
- (c) For all eligible employees:
  - (i) Accrued but unused sick may be banked to a maximum of 75 days;
  - (ii) Hourly employees shall accrue sick leave credits and achieve a maximum number of credits on a pro-rated basis; and
  - (iii) Sick leave credits shall be pro-rated during any period of absence. Sick leave credits do not accrue while in receipt of compensation from the Workers' Compensation Board.

A work day is each employee's regular number of work hours; however, for sick hours, no employee shall exceed their average daily hours worked in the previous month. Overtime does not accrue sick leave credits for any employee.

When an employee has accrued the maximum number of sick leave credits, the employee shall accrue no further sick leave credits until such time as the total accumulation has been reduced below the maximum. For the purpose of computing sick leave credit accumulation, days on which the employee is absent from work as a result of vacation, lieu time, statutory holidays or bereavement leave shall be counted as working days.

#### **4. Sick Leave Procedures**

##### **A. Paid and Unpaid Sick Leaves**

These procedures apply to all employees, whether or not entitled to paid sick leave.



All employees are entitled to an unpaid leave of absence due to illness or disability in accordance with this Policy and the *Employment Standards Code*.

Any employee who is unable to attend work due to illness or disability, however caused, shall verbally notify his/her supervisor prior to the start of the work day, and in no case less than two (2) hours prior to the start of their next shift. Texts and/or emails are not acceptable notification. When an employee is aware, due to the nature of the illness or injury, that they will be absent from work for more than three (3) days, they shall advise their supervisor of the same when reporting sick.

Employees are required to submit medical proof of illness for any claim of sick leave in excess of three (3) consecutive work days.

An employee who is unable to work due to illness or injury for a period in excess of one (1) week is required to provide to the County documentation from his or her physician (or other medical practitioner) describing the employee's prognosis for return to work on both a full and modified basis, having regard for the employee's job description. Such documentation shall be provided to the County on a monthly basis except where the employee has previously provided documentation stating they will be unable to return to work for a period in excess of one (1) month. In such case, the employee shall be required to provide documentation prior to the expiration of such period. In addition, the County may seek reasonable, periodic updates from the employee or the employee's physician at the County's discretion. An employee on an extended sick leave is required, where possible, to cooperate with County's attempts to reasonably accommodate the employee's illness, limitations or needs as well as help to facilitate the employee's appropriate and timely return to work.

The employee shall provide the County with no less than 3 days' advance written notice of his or her readiness to return to work in the case of any absence due to illness or injury for a period in excess of ten (10) consecutive work days. The County requires such employees to provide a certificate of fitness to return to work from his or her physician prior to returning to work.

Where a sick leave usage issue has been identified with a particular employee, such employee may be provided with prior written notice of the necessity to submit medical proof of illness (including medical clearance) for any present or future claim for sick leave, regardless of the duration.

If an employee is found to be abusing sick leave in any way, or using it for personal gain, the employee may be terminated immediately for just cause.

#### B. Paid Sick Leave

An eligible employee granted paid sick leave shall suffer no loss of regular earnings for all regularly scheduled shifts from which they are absent due to illness or injury where they have sufficient sick leave credits available. One ½ day or 1 full day shall be deducted from an employee's accumulated sick credits for every day, or part thereof (as the case may be), claimed as sick leave, up to the total accumulated credits available at the time the sick leave commenced.

Further, paid sick leave may be accessed to allow the employee to attend his/her own medical or dental appointments or treatments. However, employees must make reasonable efforts to schedule such appointments on personal time when possible. When necessary to schedule an



appointment during work hours, the employee shall make reasonable efforts to disrupt the workplace as little as possible.

Sick leave will not be paid in respect of illnesses or injuries which are incurred during the period of scheduled vacation once vacation leave has commenced, except where the employee provides proof of hospitalization as a result of such illness or injury. In the event that the illness or injury prevents the employee from resuming their duties at the conclusion of the vacation period, the employee will be entitled to paid sick leave, where eligible, at that time.

Upon termination or resignation, all paid sick leave credits will be cancelled and no payment for such credits shall be made to the employee.

Where an employee is on long term disability, or has exhausted the available paid sick leave credits during the course of an illness, and the illness continues, the employee shall be deemed to be on a leave of absence without pay for the duration of the illness.

C. Unpaid Sick Leave

If an employee is not eligible for paid sick leave or has exhausted all accrued paid sick days, then he or she may nonetheless be eligible for an unpaid sick leave.

D. Modified Work and Job Accommodations

The County is committed to creating a safe workplace and reasonably accommodating employees who are unable to perform their regular duties, in whole or in part, due to illness or disability. Accommodation may include a spectrum of solutions including modified work, paid or unpaid leaves of absence, adjustments to work hours and days of work, and so forth. Each employee's needs are assessed on a case-by-case basis.

Employees also have a corresponding duty to cooperate with the County in this exercise. Employee's obligations include maintaining meaningful communication with the County regarding your abilities, needs and duration of limitations, willingly implementing solutions that address your legitimate needs, reasonable effort in developing new skills or developing proficiency in new tasks, and so forth.

E. Health Benefits

If you are entitled to health benefits, you are required to make arrangements to pay your employee benefit contributions while you are on sick leave. Please contact Payroll as soon as possible to make the necessary arrangements. Failing to make arrangements to pay your health benefit premiums may result in cancellation of your plan.