

CUPE EDUCATION WORKERS MAKING SCHOOLS WORK



Standard Sick Leave Plan

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A permanent employee, scheduled to work from September to June, will be entitled to 11 sick days at 100% and 120 Short Term Disability Days at 90% of their regular earnings. If a permanent employee did not use all 11 sick days from the last year, he/she will have access to those days for “top up” purposes.

For example:

Terri only used 5 sick days last year. So she has six days left to use for “top up” purposes. This year Terri will have access to:

- 11 sick days at 100%
- Plus 60 STD days topped up to 100%
- Plus 60 STD days at 90%

A permanent employee who is working for a part of the year ie) **an employee hired after the start of the fiscal year (September 1 to August 31)** will have their sick leave pro-rated based on the amount of time worked compared to the regular work year or the position.

Casual/Supply employees working in a Long Term Supply assignment (**Long Term Supply assignment is defined within the meaning of the local collective agreement, where no such definitions exists, a Long Term Supply assignment will be defined as twelve (12) days of continuous employment in one assignment (article C6.1 of central agreement)**) will have their sick leave pro-rated based upon the relation between the length of assignment and the normal work year for the position.

For Example:

Helen took a Long Term Supply assignment which would run from September to June. She would be entitled to 11 days at 100% and 120 days at 90%. If she were hired to fill a Long Term Supply Assignment which ran from February to June, she would be entitled to 5.5 days at 100% and 60 days at 90%.

Exceptions to the Standard Sick Leave Plan:

1. An Employee who was absent due to illness at the end of the last year, and remains off work due to the **same illness** at the beginning of this year will use any unused sick leave or short term disability days from the previous year.

For example:

Miguel at the end of the school year was off work due to a serious illness. He still had 90 STD days left at the end of June. Miguel's doctor says he must remain off work for the month of September (another 20 days). Miguel will have access to his 90 STD days from last year at the start of this school year.

Refresh for Permanent Employees:

When Miguel returns to work at his **regular working hours (C6.1 e)**, he will need to work 11 consecutive working days at his regular working hours before getting a new sick leave allocation. Days where he was absent to attend a medical appointment related to his illness will not be counted against the continuous days. Once he completes the 11 days, he will get a new 11 sick days at 100% and 120 STD days minus the 20 he had already used from last year's allocation.

2. Permanent returning to full hours following an LTD or Workplace insurance leave will have to work 11 consecutive days prior to receiving a new sick leave allotment.

Sick Leave in a Graduated Return to Work:

An Employee in a medically-required Graduated Return to Work program (reduced hours or reduced days per week) may use available sick days or partial sick days to make up the difference between regular hours and the hours they are absent in the Graduated Return to Work program.

Example A:

Lisa normally works Monday-Friday 7 hours per day. At the beginning of the 2016-2017 she received her 11 sick days and 120 Short Term Disability Days. She has been off sick for a month. Her doctor says she can only work half days for a two week period. She can use 5 half day sick leave credits to make up the difference between her regular hours and the hours she is working in the Graduated Return to Work program.

If Lisa is on a Graduated Return to Work program and was in receipt of WSIB or LTD benefits, her wages will be topped up by WSIB or LTD and not sick leave.

A permanent employee returning on a Graduated Return to Work from an illness which started in the previous year, and;

- Is not on WSIB or LTD and;
- Is working less than his/her regular hours of work and;
- Has sick leave or Short Term Disability Days remaining from the previous year; may top up their wages to 100% from the remaining sick leave days.

Example B:

Phyllis has been on an extended leave due to illness. She normally works Monday to Friday 8 hours per day. She is returning to work half days starting in October. Phyllis has 30 STD days remaining from the previous year.

Phyllis will receive 11 days at 100% and 120 Short Term Leave days at 90%. If she is absent she would be able to top up her Graduated Return to work from the remaining sick leave days.

If a Permanent Employee is returning on a Graduated Return to Work from an illness which started in the previous year and;

- Is not on WSIB or LTD, and;
- Is working less than his/her regular hours of work but has NO sick leave remaining from the previous year;

Will receive 11 sick days at 100% and 120 Short Term Disability days of the new reduced working hours. As the hours increase, the value of the sick leave will also be adjusted. This sick leave cannot be used to “top up” to full wages.

Example C:

Phyllis has been on an extended leave due to illness. She normally works Monday to Friday for 8 hours a day. She is returning to work half days starting October.

Phyllis will receive 11 days at 100% and 120 Short Term Leave days at 90% but payable on **the hours she is scheduled to work only**. So if she is absent, she would be paid for 4 hours. When she returns to a full schedule (full work day), the value of the days will be adjusted back to compensate for a full day.