



Sick Leave (Paid or Unpaid)

<i>Responsibility:</i>	<i>Executive Superintendent of Human Resource Services and Organizational Development Senior Manager, Human Resource Services Manager, Employee Wellness, Human Resource Services</i>
<i>Legal References:</i>	<i>Health Information Privacy Act; Personal Information Protection and Electronic Documents Act; Human Rights Code; Workplace Safety and Insurance Board Act; Ontarians with Disabilities Act.</i>
<i>Related References:</i>	<i>AP 3550 Employee Records; AP 3810 Workplace Accommodation Programme; Service Canada; OMERS; Teachers Pension Plan.</i>
<i>Reviewed:</i>	<i>January 2016, September 2018</i>

1. Preamble

The procedures that follow provide guidelines for access to Sick Leave Benefits and apply to all Waterloo Region District School Board employees who, under the terms of their employee group collective agreement or Terms and Conditions of Employment, have access to paid sick leave.

2. Sick Leave Benefits are accessible in the following circumstances:

- 2.1 As outlined below, an employee may access or is eligible for paid sick leave benefits if they become injured or ill or if they are attending medical appointments, to the extent that their accumulated sick leave bank provides. It is the Board's expectation that medical appointments will be scheduled outside regular working hours when possible. For clarification please contact the Employee Wellness Office.
- 2.2 An employee may be eligible for paid sick leave, to the extent that their accumulated sick leave bank provides, if he/she is disabled, which is defined as a state of incapacity which is due to bodily injury or sickness preventing the employee from working for the employer.
- 2.3 Where an employee has prolonged, frequent or patterned absences, medical documentation may be required, reviewed and assessed by the Employee Wellness Office, during the employee's absence and prior to the employee returning to work.

3. Access to Sick Leave Benefits will not be granted in the following circumstances:

- 3.1 In cases compensable by Workplace Safety and Insurance Board, excluding top-up;
- 3.11 In cases where an employee is not compliant with Workplace Safety and Insurance Board obligations under the Act/Regulation (Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Schedule A).
- 3.2 For 12-month employees during scheduled vacation unless the illness requires hospitalization;

- 3.3 When an employee is on an authorized unpaid leave of absence;
- 3.4 When an employee does not have Sick Leave Benefits available within his/her sick bank. (To review your available Sick Leave Benefits, please refer to the self-service portal on the boards' [staff intranet](#)).
- 3.5 While in receipt of Long Term Disability Benefits;
- 3.6 When appropriate medical documentation has not been received;
- 3.7 To care for family members (beyond Family Care or Nursing Care days available). For specific information please refer to alternative leave options available in the respective Collective Agreement(s) or Terms and Condition(s);
- 3.8 When conflict exists in the workplace that may cause absenteeism. Sick leave may be granted until a meeting can be facilitated between the appropriate parties in an attempt to resolve the workplace conflict and develop an action plan;
- 3.9 When a Workplace Accommodation Plan is provided that is within the employee's restrictions and limitations and is deemed suitable by a third party assessor. The employee will be placed on an unpaid medical leave of absence if they choose not to participate in the Workplace Accommodation Plan. (Note: Third party assessor shall be mutually agreeable to the Board, the Employee, and the Union or Association);
- 3.10 If there are no medical complications which may affect the outcome of a pregnancy for both mother and child(ren). Medical documentation provided by midwives will not be accepted as it is outside the midwife's scope of practice.
- 3.11 For any other personal affairs that are not related to an injury, illness or specialized medical appointment. Inquiries regarding individual circumstances should be directed to the Employee Wellness Office or consult with your Union or Association regarding clarification.

4. Roles and Responsibilities for absences of greater than 6 consecutive working days:

4.1 The Employee:

- 4.1.1 Is required to provide medical documentation as outlined in the employee's respective collective agreement, Terms and Conditions, and/or the Workplace Safety and Insurance Act. The cost of medical documentation is the responsibility of the employee unless the cost of medical documentation is covered by the Workplace Safety and Insurance Board.
- 4.1.2 Will contact his/her immediate supervisor to inform him/her of absence from work.
- 4.1.3 Will ensure that, as outlined in the respective collective agreement, the medical documentation will contain:
 - Confirmation of an active treatment plan;
 - Indication if a referral to another medical practitioner has been made;
 - Delineation of limitations and restrictions;
 - Indication of reassessment date.
- or contact the Employee Wellness Office to obtain a Medical Assessment Form to be completed by your treating healthcare provider.
- 4.1.4 Will provide medical documentation to the Employee Wellness Office via one of the following methods:
 - Fax to confidential fax #: 519-570-5573;
 - Hand deliver to the Education Centre;
 - By mail.

Please note: Inter Office Courier is not recommended for confidentiality reasons.

- 4.1.5 Will be given an opportunity, in consultation with the Union/Association, to provide the Employee Wellness Office, with further medical information if the medical documentation is deemed by the Employee Wellness Office, to be unsatisfactory.
- 4.1.6 May, at the request of the employer and in consultation with the Union/Association, be required to sign a Consent to Release Medical Information form in order for the employer to obtain the information necessary to support the facilitation of the Return to Work process and/or to determine if access to sick leave benefits should continue to be granted.
- 4.1.7 May, if applicable, apply for Long Term Disability Benefits in anticipation of completing the eligibility period. For specific information please contact the appropriate local federation/association office. Please note: Custodial and Maintenance Association, Occasional Teachers (Elementary and Secondary), and the Supervision Monitors and Cafeteria Assistants Association do not have access to Long Term Disability benefits).
- 4.1.8 Will maintain regular contact with the Employee Wellness Office, as discussed, to provide updates on status, changes in condition, and to review progress to determine if a Return to Work Plan or Workplace Accommodation Plan should be facilitated.
- 4.1.9 Will notify the Employee Wellness Office and Union/Association if the employee leaves his/her primary residence for greater than three business days. The employee will provide updated contact information in a timely manner including a phone number, mailing address, and treatment care providers and treatment care provider's contact information. Note: Employee Wellness Office may require satisfactory medical evidence to confirm that the change in the employee's location will not interfere with his/her healthcare treatment and ability to return to work. If the relocation does delay the employee's ability to recover and return to work in a timely manner, sick leave benefits may be suspended.
- 4.1.10 Will discuss, in consultation with the Union/Association, the level in which they may participate in ancillary duties (committee work, extracurricular activities, professional development, union/association duties, etc.) during any period of time when the employee is not able to perform his/her primary duties with the Waterloo Region District School Board, or until he/she has been discharged from the Workplace Accommodation Plan.
- 4.1.11 May not be eligible to apply for vacancies for the duration of the medical leave unless approval is provided by the Employee Wellness Office.
- 4.1.12 Will not be eligible for any other leave provisions (e.g. Bereavement, Graduation Day, Board declared snow days, etc.) if the employee is approved for a medical leave of absence.
- 4.1.13 NOTE: Please refer to Workplace Accommodation Program, Administration Procedure 3810.

4.2 Employee Wellness Office will:

- 4.2.1 Review the documentation provided by the employee to determine eligibility for Sick Leave Benefits. If the Employee Wellness Office, is not satisfied with the medical information provided, a member of the Employee Wellness Office:
 - Will clearly identify to the employee and union representative why the information is not adequate.
 - May request additional medical information, or access to regular updated medical information, depending on the circumstances.
 - May request that the employee undergo an Independent Medical Examination (IME). Should the Board request an independent medical opinion, the choice of healthcare practitioner shall be mutually agreeable to the Board, the Employee, and the Union/Association. Failure to attend the Independent Medical Evaluation may result in suspension of sick leave benefits.
- 4.2.2 Contact the employee directly in one of three ways to confirm status of his/her sick leave request:

- Phone to discuss the Board's Medical/Sick Leave Procedures and Workplace Accommodation Program; and/or;
 - Send information regarding the Medical/Sick Leave Procedures and Workplace Accommodation Program to the employee's Board e-mail account (G-mail) or home address and/or;
 - Send a Medical Leave of Absence Confirmation form to the employee outlining the Board's approval of the medical leave of absence.
- 4.2.3 Notify the appropriate union(s) of an employee's status with regard to Medical/Sick Leave or participation in the Workplace Accommodation Program.
- 4.2.4 Inform the employee's Principal/Vice-Principal, Manager or Immediate Supervisor of approved Medical/Sick Leave.
- 4.2.5 Maintain regular contact with the employee and his/her Principal/Vice-Principal, Manager or Immediate Supervisor for the duration of the Medical/Sick leave.
- 4.2.6 As the employee's medical condition improves, and in consultation with the Union/Association, assess the employee's working capabilities in conjunction with medically-supported restrictions and/or limitations provided by the appropriate treating medical practitioner(s), and will transition the employee to the Workplace Accommodation Program.
- 4.2.7 Provide guidance regarding additional benefits available to the employee while on leave. For example, but not limited to: Supplemental Unemployment Benefits (SUB), OMERS Disability Waiver and Pension options, Life Insurance Waiver, Teacher's Pension Plan Disability Waiver, transition to Long Term Disability benefits (if applicable) and, in consultation with the respective Unions/Associations, Service Canada Benefits and the Employee Assistance Program.
- 4.2.8 Continually monitor the employee's ability to Return to Work or participate in the Workplace Accommodation Program.

4.3 The Immediate Supervisor (Superintendent/Principal/Vice-Principal, or Manager):

- 4.3.1 Will arrange supply coverage, if required, and will submit appropriate staffing communication to the appropriate Human Resource Services staffing team.
- 4.3.2 Will enter absences in a timely manner into Easy Connect (EC). Questions about entering employee absences should be directed to the EC Operator or the appropriate Human Resource Services representative.
- 4.3.3 May, in consultation with Human Resource Services, deactivate an employee's electronic access card depending upon the nature of the employee's medical condition. Once a return to work date is identified, the access card will be reactivated.