

SICK LEAVE

Policy E.3.M

Frontier School Division recognizes that employees, or their families, may experience health conditions that prevent the employee from attending work. Sick leave is an employee benefit in the form of earned paid leave which can be taken during periods of sickness, disability, or for accidents for which compensation is not payable under *The Workers Compensation Act*.

Subject to the attached regulations, the Division shall grant earned sick leave with pay to employees.

Where provisions regarding sick leave exist within a Collective Agreement, they shall apply.

Information: [The Workers Compensation Act](#)

Adopted September 1, 2009	Revised November 5, 2013	
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A. Teaching Staff

Information regarding sick leave entitlements is outlined in the current Collective Agreement.

B. Support Staff

Unionized support staff must refer to their respective Collective Agreements regarding sick leave entitlements.

1. Eligibility

- a. Sick leave shall be earned by all permanent and term employees.
- b. Casual employees shall not accrue sick leave credits.

2. Sick Leave Accrual

Sick leave **will** accrue as follows:

- a. from the date of hire, at the rate of one-half ($\frac{1}{2}$) working day per bi-weekly pay period during the first four (4) years of services, and
- b. at the rate of one (1) working day per bi-weekly pay period after the first four (4) years of service.

Part-time employees accrue sick leave prorated on the basis of full-time equivalent (FTE) hours worked. For example, a half-time employee would accrue sick leave at the rate of one-quarter ($\frac{1}{4}$) day per pay period in the first four (4) years of service, and one-half ($\frac{1}{2}$) day per pay period after the first four (4) years of service.

An employee on probation may be granted sick leave in advance of it being earned, provided the amount advanced, when combined with sick leave credits already accumulated does not exceed five (5) working days.

Sick leave **will not** accrue when an employee is:

- a. absent from work for more than ten (10) consecutive work days,

- b. absent and receiving Workers Compensation for more than ten (10) consecutive work days,
- c. absent on leave without pay,
- d. absent without leave.

3. Maximum Sick Leave

Sick leave shall not accumulate beyond two hundred and eight (208) working days.

4. Hospitalization During Vacation Leave

If an employee is hospitalized for three (3) or more days during their approved vacation period, the employee may request use of sick leave for the hospitalization period. The process to be used is as follows:

- a. the employee must provide appropriate medical evidence to support the request,
- b. the request shall be submitted to the Principal/Supervisor then forwarded with a recommendation to the Area Superintendent/Supervisor for approval or denial,
- c. the Area Superintendent/Supervisor shall forward the request to Human Resources for processing.

For approved requests, the vacation days will be rescheduled at the Area Superintendent/Supervisor's discretion, based on operational requirements.

5. Family Sick Leave

- a. Information regarding the utilization of Family Sick Leave for unionized staff is outlined in the current applicable Collective Agreement.
- b. Non-union support staff may use up to five (5) days per year from accumulated sick leave to provide care during the illness of a child, partner or parent. Proof of illness for the child, partner or parent may be requested.

C. All Staff

1. Utilization of Sick Leave

- a. When an employee is to be absent because of illness, the employee shall notify their Principal/Supervisor at least one hour prior to the normal hour of beginning work.

- b. An employee shall indicate their absence on an appropriate form, for example Time and Attendance form or a Request for Leave form, which is forwarded to the Principal/Supervisor for approval. In the employee's absence, the employee's Supervisor may complete the form.
- c. Sick leave is not payable to an employee:
 - i. who is engaged in employment for wage or profit with another employer,
 - ii. whose illness results from the use of drugs or alcohol and who is not receiving continuing treatment with a licenced physician or in a recognized program of treatment for use of drugs or alcohol,
 - iii. who, in respect of an illness or injury resulting from a motor vehicle accident, is receiving wage loss replacement benefits from the Manitoba Public Insurance Corporation to the extent that such benefits and paid sick leave exceed the employee's normal salary.
- d. After an employee has exhausted all sick leave credits while on approved medical leave, the employee may use any vacation credits, overtime credits, personal leave, etc. to avoid loss of pay.

2. **Medical Certificates**

- a. An employee who has been absent due to illness shall provide, when requested by the Division, a medical certificate certifying that the employee is or was unable to carry out their duties due to sickness.
- b. Where the employee fails to produce a medical certificate acceptable to the Division, the employee shall not be paid for the period of absence, and corrective action may be taken.

3. **Long Term Sick Leave**

- a. An employee who is absent due to illness for an extended period of time shall provide a medical certificate certifying that the employee is unable to carry out their duties due to sickness and indicating the expected return to work date.
- b. Prior to returning to work from an extended medical leave, an employee may be required to provide medical proof of ability to return to work.

- c. If the employee is unable to return to work at full duties, as certified by a physician, the Division will accommodate the employee to the point of undue hardship. Undue hardship involves significant financial or organizational impact which cannot be supported by the Division. Each situation involving accommodation in the workplace will be considered on a case-by-case basis.
- d. A position may be staffed on a permanent basis when medical evidence has been received to indicate that there is no likelihood of the employee returning, at the time or in the foreseeable future, to the position held at the time of medical leave.
- e. Should the employee be medically able to return to work in some capacity after the position they held at the time of leave has been staffed on a permanent basis, accommodation will be made available.

4. Unpaid Medical Leave

When an employee is absent for an extended period of time due to illness and has exhausted their sick leave credits, a Memorandum of Agreement outlining the terms and conditions with respect to benefits continuance shall be provided to the employee by Human Resources.

5. Accumulated but Unused Sick Leave

Employees withdrawing from the Division for whatever reason shall not be paid for any unused accumulated sick leave credits.

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