

**MUNICIPALITY OF THE COUNTY OF KINGS****Sick Leave Policy****Creation Date:** December 16, 2014**Approval Date:** January 6, 2015**Revision Date:****Policy Category:** Human Resources**Next Review Date:** December 16, 2017**Replaces:** HR Policy 5.008**1. Purpose:**

The Municipality of the County of Kings' Sick Leave Policy is to protect all non-unionized permanent full-time, part-time and term employees against financial hardship as a result of being absent from work due to illness or injury. This policy will establish the conditions under which paid sick leave will be granted to employees.

The absence of an employee disrupts the operation of the workplace and puts additional responsibility on co-workers. For this reason, the Municipality of the County of Kings expects employees to be at work on a regular basis. A normal level of absenteeism due to minor illness or injury should not exceed eight days in any given year.

**Note: This policy is for non-unionized employees only.** Unionized employees are to follow the collective agreement.

**2. Objective:**

2.1 **Objectives** of this policy are to:

- a. define the number of sick leave days that may be accumulated in one calendar year;
- b. provide provisions for carrying forward unused sick leave days;
- c. ensure employees are aware of the procedure for reporting sick days;
- d. outline the requirement for medical certificates;
- e. identify the responsibility for the payment of benefits during sick leave;
- f. educate staff to appreciate that Sick Leave is like insurance, it is intended to be used when needed, but not to be abused.

**3. Responsibilities:**

3.1 **Council** will:

- a. ensure that the Municipality of the County of Kings has in place a Sick Leave Policy.
- b. review, amend, and adopt changes to the Sick Leave Policy.

3.2 The **Chief Administrative Officer** will:

- a. administer and implement the Sick Leave Policy of the Municipality.





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- b. identify necessary revisions to the Sick Leave Policy in consultation with other Council and managerial staff.
- c. ensure that non-unionized staff are advised of the Sick Leave Policy as located in the Policy Manual.

#### 3.3 Non-Unionized employees will:

- a. be familiar with, and act in accordance with, the Sick Leave Policy.

#### 4. Procedure

4.1 Sick Leave - Sick Leave is defined as the period of time when an Employee is absent from work, with pay, as a result of an illness or injury for which compensation is not payable under the Workers' Compensation Act, a medical appointment, or because an Employee has a medical certificate confirming illness or injury.

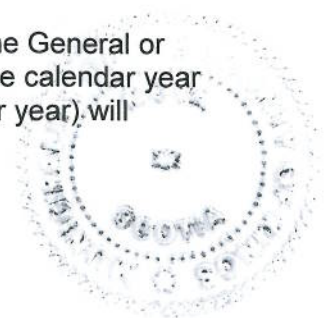
4.2 On January 1<sup>st</sup> of each year all Employees will be granted eighteen (18) sick leave days. These eighteen (18) days will be prorated for the time employed at one and one half days (1 ½) per month. Sick leave days will accumulate to a maximum of one hundred and sixty five (165) days. If an Employee resigns or is terminated and they have used more sick time than they have accrued (including sick leave extension days), the balance will be deducted from their final pay cheque.

- (a) Employees may bank up to one hundred and sixty five (165) days as follows:
  - General Sick Leave bank. Maximum of one hundred and twenty (120) days
  - Disability Sick Leave bank. Minimum of forty five (45) days
- (b) Effective the approval date for this policy, the balance in each Employee's sick leave bank at January 1, 2014, shall be transferred to their Disability Sick Leave Bank, up to the maximum of forty five (45) days. The remainder of the Employee's sick leave bank balance, if any, will remain in the General Sick Leave Bank.
- (c) Employees may transfer sick leave from the General Sick Leave bank to the Disability Sick Leave bank at anytime. Employees shall not be permitted to transfer sick leave from the Disability Sick Leave Bank to the General Sick Leave Bank.



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- (d) Employees with less than forty five (45) days in their Disability Sick Leave bank will have three (3) Sick Leave days allocated to their Disability Sick Leave bank each January 1<sup>st</sup> with the remainder accumulating in their General Sick Leave bank. Employees who start after January 1 will have their eighteen (18) days (prorated for those who work less than a full calendar year) sick leave go in the general bank for that year only.
  - (e) The General Sick Leave bank shall be accessed to grant sick leave with pay when the Employee is unable to perform his / her duties in accordance with article 4.1 and 4.11 and HR-06-009 Bereavement Leave article 5.4.
  - (f) The Disability Sick Leave bank shall be accessed to grant sick leave with pay when the Employee is unable to perform his/her duties and they are absent from work for five (5) consecutive business days or more and as supported by medical certificate.
  - (g) Notwithstanding 4.2 (f), The Human Resources Specialist and / or CAO may permit an Employee to access the Disability Sick Leave bank.
- 4.3 An Employee shall be granted sick leave with pay when he / she is unable to perform his / her duties in accordance with Article 4.1 if he / she satisfies the Employer of his / her condition in such manner as may be determined by the Employer, and provided he / she has the necessary sick leave credits.
- 4.4 Time absent for approved leave shall be deducted from the General Sick Leave bank or Disability Sick Leave bank.
- 4.5
- a. Employees who are unable to attend work due to an illness or injury shall notify their immediate supervisor as far in advance as possible and by the commencement of their next regularly scheduled shift at the latest. At that time, the Employee shall indicate when he / she expects to return to work.
  - b. If the Employee cannot return to work at the stated time, the Employee shall once again notify his / her immediate supervisor as far in advance as possible. For extended illness greater than three (3) days, the Employee shall provide their expected return date one day in advance.
- 4.6 Employees (excluding Managers and Supervisors) who access the General or Disability Sick Leave bank a total of five (5) days or less during the calendar year (pro-rated for those Employees who work less than a full calendar year) will



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receive one (1) day's compensation at their rate as of January 1<sup>st</sup> of the following year. This day of pay will be included in the Employee's last pay period in January.

- 4.7 The Employer reserves the right to request verification of the Employee's medical condition from a legally qualified medical practitioner which shall include a general prognosis of the Employee's condition, expected date of return to work and specification of any limitations on the Employee's ability to attend work regularly and perform all aspects of the Employee's job.

- 4.8 Employees who suffer from an illness or injury in excess of three (3) days while on scheduled vacation may receive sick leave benefits for each day after the third day of illness or injury and have their vacation entitlement reinstated for each of these days provided satisfactory verification of the Employee's medical condition from a qualified medical practitioner is provided.

- 4.9 (a) Extended Sick Leave - If an Employee is absent from work due to illness or injury in excess of their accumulated sick leave and vacation entitlement, Extended Sick Leave without pay may be granted by the Chief Administrative Officer.

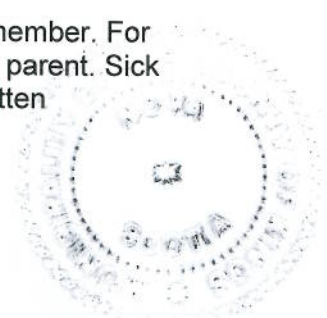
The Municipality will continue to pay its share of an employee's benefit premiums while the employee is on approved Sick Leave.

Employees who have received approval for Extended Sick Leave will be responsible to pay 100% of benefit premiums until they either return to work, become eligible for Long Term Disability benefits or their employment with the Municipality is terminated.

- (b) A request for Extended Sick Leave made to the Chief Administrative Officer shall be accompanied by a medical certificate from a legally qualified medical practitioner indicating the general nature of the illness or injury, the accommodation needs of the Employee and a prognosis of when the Employee will be able to return to work.

- 4.10 Each Employee can track their sick time usage and accumulations by using EZ Labour ADP

- 4.11 An Employee may use sick leave to care for an immediate family member. For purposes of this Article, "immediate family" means spouse, child or parent. Sick leave may be approved to care for other family members, upon written application to the Chief Administrative Officer.



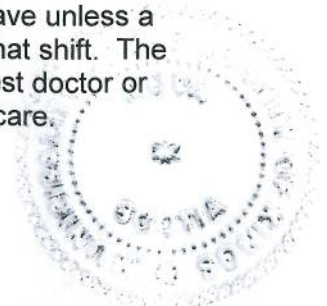
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- 4.12 Employees shall make every reasonable effort to schedule medical or other health related appointments (the "Appointment") outside of regular working hours. In the event that the Appointment cannot be made outside of regular working hours, the Employee shall make every reasonable effort to schedule the Appointment at the beginning or the end of the workday. The Employee shall provide his/her Supervisor with as much notice as possible with respect to the Appointment. The time required for the Employee to attend at the Appointment shall be deducted from the Employee's General Sick Leave bank or other paid leave.

The Employer shall grant the Employee General Sick Leave bank for out-of-town medical appointments for the Employee or a member of the Employee's immediate family.

An Employee who has exhausted his/her General Sick Leave bank, may request an extension of General Sick Leave, which shall not be unreasonably denied. Such extensions, if given, shall not be for a period of any longer than ten (10) working days and will be recovered from the following year's allocation. Note: Employees will only be eligible to request a sick leave extension up to 10 working days per calendar year. Sick Leave extension days will be deducted from the following year's sick leave allotment.

- 4.13 Fraudulently obtained or abuse of sick leave benefits is cause for disciplinary action, up to and including discharge.
- (a) Fraudulent usage: Any gainful employment, pursuit of personal business, recreation, travel for recreation, or non-sick leave purpose, or other such activity which is not prescribed when an employee is on sick leave would be considered evidence of fraudulent use of sick leave.
  - (b) Abuse: In determining whether there has been an abuse of sick leave, the Employer shall consider patterns of use, historical attendance, number of days used and relevant information gathered at the meeting referred to in 4.15.
- 4.14 An Employee injured during working hours who is required to leave for treatment or sent home as a result of such injury, shall receive payment for the remainder of his shift at his regular rate of pay, without reduction from sick leave unless a doctor or nurse states that the Employee is fit for further work on that shift. The Employer shall pay for transportation of the Employee to the nearest doctor or hospital for an Employee injured on the job and requiring medical care.





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- 4.15 The Municipality considers sick leave of eight (8) or more days per year or after five (5) days if the absences are taken one day at a time, cause for a formal review with the Employee with the goal of identifying, confirming, and/or addressing the underlying cause for the sick leave. Any potential accommodation which may be required for the Employee to fulfil their job requirements will be part of this review. This Review will be with the Employee and Human Resource Specialist. All medical information gathered will be kept confidential. During this formal review the Employees history of attendance, patterns of use, number of days used, etc. will be looked at. If the Employee requires an accommodation the CAO will be included where necessary.

**Related Policies, Procedures and Legislation**

- Employment Insurance Sick Benefits (Service Canada)

