

# Sick Leave Administrative Guidelines

*This guideline is intended to set out the general principles that govern the University's administration of the short-term sick leave benefit. The guideline is not intended to be an exhaustive list of all possible scenarios that might arise – flexibility to take individual and unique circumstances into account must be maintained both for employees' benefit and for the integrity of the plan. The guideline is subject to the specific requirements of the collective agreement.*

## Intention

Short-term sick leave benefit provides all employees, when they are absent from work due to a bona fide illness or injury, with an income replacement plan to support employees when they suffer a significant illness or injury that may lead to long-term absence and LTD. The plan was designed to coordinate with the "elimination" or "waiting" period for Long Term Disability benefits as defined in the insurer policy. This waiting period is 180 calendar days of continuous absence. Therefore, the sick leave benefit provides **up to 180** calendar days of continuous absence. It is intended to provide income replacement for a period during which the employee would otherwise have been paid but for the illness or injury – for example, the employee is not on layoff, recall or unpaid leave of absence; in the case of an employee who holds a term appointment, the period of paid sick leave will not continue beyond the end date of their appointment.

## Waiting Period

Under the LTD policy an absence during which an employee has been unable to work for at least 60% of the time will be considered as time counted towards the elimination period.

Thus, in keeping with the intention that the sick leave benefit corresponds to the waiting period, employees are considered to be drawing on the 180-calendar day entitlement when they are unable to work for at least 60% of the time. During this time, they are accumulating time towards eligibility for LTD benefits.

When the "elimination" or "waiting" period has ended, payments while on LTD come from the insurer.

## Incidental Absences

The sick leave plan is not intended to provide unlimited sick leave for incidental absences. Employees receive paid time off for absences due to incidental illness. Excessive or abnormal incidental sick leave will be addressed through the University's attendance management program. Excessive or abnormal incidental sick leave that is related to an underlying disability which has been substantiated through medical documentation will be addressed through a modified time accommodation.

## Commencement of Benefit

The period of entitlement commences on the first day of illness.

## End of Benefit

Entitlement to the benefit ends not later than the day an employee's employment with the University ends.

## Recurrence

If, after satisfying the waiting period, an employee has a recurrence of the same illness, within one (1) calendar month of returning, the period(s) of return may be, and the subsequent absence will be, a continuation of the original sick leave. Again, this coordinates the sick leave benefit with the insurer's administration of the Waiting Period for LTD benefits.

If, after returning from LTD, an employee has a recurrence of the same illness within 180 calendar days of their return to work, the employee is not entitled to the sick leave benefit. This coordinates with insurer's administration of the LTD benefit, whereby the employee is eligible to apply for reinstatement of their LTD benefit.

## Reinstatement of Sick Leave Benefit

An employee who has returned to work from a sick leave of less than 180 calendar days will earn back the full 180 calendar day sick leave benefit once they have been back to work for a continuous period equal to one (1) full calendar month.

There may be rare cases when an employee returns from a prolonged absence due to an illness or injury and shortly thereafter requires a further leave due to a **different** illness or injury. While each case will have to be reviewed on its own merits, the general principle is that if the **new** illness or injury would commence a new Waiting Period according to the insurer's policy, the employee would be eligible for six months of sick leave benefit in connection with that **new** illness or injury.

## Documentation

Each employee is expected to cooperate with the University in providing substantiated medical documentation to support their absence due to illness or injury, including the restrictions/limitations that preclude them from performing the bona fide occupational requirements of their position, the prognosis for recovery and if they are participating in a treatment plan. An employee is expected to cooperate with the University in providing periodic updates of the medical documentation to support ongoing absences. An employee's failure or refusal to cooperate in providing supporting medical documentation may place their entitlement to the sick leave benefit and/or any workplace accommodation in jeopardy.

An employee is responsible for informing their supervisor/designate if they will be absent from work due to illness or injury. The supervisor/designate will advise the assigned Department Time Keeper.

Extended sick leave will require documentation to support the leave. Medical notes or other supporting documentation are to be forwarded to the Employee Wellness Services email at [employee.wellness@queensu.ca](mailto:employee.wellness@queensu.ca), or to Fleming Hall, Stewart Pollock Wing. If an employee submits the

documentation directly to their supervisor, the supervisor should have the employee place the documentation in a sealed envelope and the supervisor should forward the envelope to Employee Wellness Services. In case of any absence that that will exceed 2 weeks the supervisor must inform Employee Wellness Services in the Human Resources Department.

After an absence of 4 months and if they have been advised of the absence, Employee Wellness Services will automatically send LTD application papers to the employee.

## Sick Leave and WSIB

An Employee absent from work due to an occupational illness or injury that is subject to a WSIB claim will be eligible to receive the sick leave benefit but in the event that their claim is approved by the WSIB, it is understood that any WSIB payments will be assigned directly to the University.

## Return to Work and Accommodation

The University recognizes the importance of early and safe return to work and the need to provide accommodation to employees with disabilities. This is a process that requires the cooperation of all parties: the University, the employee and their Union if applicable. Before returning to work an employee is expected to provide medical documentation supporting their fitness to return to work, which outlines the restrictions and/or accommodation needs of the employee, if any.

If the terms of a Return to Work plan result in working less than 100%, salary may be pro-rated to the time worked under the RTW plan.

The process of accommodation is also a shared responsibility. The person requiring accommodation has a responsibility to advise Employee Wellness Services of the details regarding the accommodation required.