



SICK LEAVE POLICY

Category:

Approval: *The University Secretary, on the advice of the Policy Advisory Subcommittee, will identify the appropriate approval body(ies), e.g. Board of Trustees, Senate, VPOC, other*

Responsibility: *AVP of Human Resources*

Date: *Date initially approved:
Date of last revision:*

Definitions:

"Accommodation" is,

- Any temporary or permanent measures (up to the point of undue hardship) that are reasonable and required to support employees with Protected Ground needs to participate in the workplace. The intention of such measures is to remove a Workplace Barrier which prevents an otherwise qualified individual from performing or fulfilling the Bona Fide Occupational Requirements ("BFOR") of a job due to a Protected Ground, and
- Based on individual circumstances and can arise during recruitment, selection, training, promotion, performance appraisal, or at any other point during employment when the need for Accommodation is identified.

"Bona Fide Occupational Requirements" (BFOR) mean the core functions of a job that are genuinely necessary, having regard to productivity (both in terms of the amount of work product and the timeliness of the work product) and the importance of any function. They include both a subjective component, in that they were established honestly and in good faith, and an objective component, in that they are defined as reasonably necessary to assure the efficient and economical performance of the job without endangering the Employee or any other person.

“Critically Injured” means an injury of a serious nature that,

- (a) places life in jeopardy,
- (b) produces unconsciousness,
- (c) results in substantial loss of blood,
- (d) involves the fracture of a leg or arm but not a finger or toe,
- (e) involves the amputation of a leg, arm, hand or foot but not a finger or toe,
- (f) consists of burns to a major portion of the body, or
- (g) causes the loss of sight in an eye

“Commencement of Benefit” The period of entitlement commences on the first day an employee is unable to complete at least 60% of the hours or 60% of the duties of their job for medical reasons, even with Accommodation.

“Continuing Appointment” A continuing appointment is one in which no end date is stated.

“Continuing Term Appointment” is a Continuing Appointment where the Employee works for a fixed period of time (term) each year; e.g. September 1 to May 31 each year. In addition, the appointment must be for at least 14 hours per week during the length of the term.

“Disability” means,

- Any degree of physical Disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- a condition of mental impairment or a developmental Disability,
- a learning Disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- a mental disorder, or
- an injury or Disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

“Employee” includes a person who performs work or supplies services for the University for monetary compensation or reward, as defined by the *Employment Standards Act, 2000* (the “ESA”).

"Employment Supervisor": A person who has administrative or supervisory responsibility for an Employee, which may involve coordinating work, assigning duties, or providing guidance and oversight of work performance. This can include Deans, VPs, Department Heads, Directors, Managers, Faculty, and Unit

Supervisors, all of whom have responsibilities under this policy and procedure. The direct supervisor is typically the first point of contact for employees requesting Accommodation.

“End of Benefit”: Entitlement to the benefit ends the earliest of the following:

- the day an employee’s employment with the University ends; or
- the Employee is no longer able to substantiate their entitlement to the Sick Leave Benefit; or
- the maximum allowable benefit has been provided.

“Episodic Absences” Includes absences as a result of a Disability which are generally of short duration (generally less than 2 weeks) but frequency and duration do not meet the criteria for the Waiting Period. These absences may qualify for unpaid Sick Leave through reduced appointment.

“Incidental Absences” Includes undiagnosed, minor, short, patterned or non-patterned absences. Incidental absences could also be called “Sick Day” if medically related.

“Long-Term Disability (LTD) Benefit”: Is a benefit paid to eligible employees, as determined by the insurer, up to the age of 65 or retirement, whichever is earlier. To be entitled to LTD Benefit, as defined by the insurer, an Employee must establish that they are Disabled, as defined by the LTD policy, for the full Waiting Period, subject to any adjustments for a Recurrence or New Occurrence.

“New Occurrence” If an Employee returns to work before the end of the Waiting Period but has a new Disability or has a recurrence of the same Disability greater than one (1) calendar month following their return to work, this will be considered a New Occurrence and the employee will begin a new Waiting Period. If, after exhausting their Sick Leave Benefit, the same Disability recurs more than 180 days following the end of the period benefits were paid, such Disability will be considered a New Occurrence. Where the Sick Leave Benefit is exhausted and the Employee experiences a new Disability, the Employee would have to have returned to work for one (1) day to be considered eligible for a new Waiting Period.

“Occupational Disease” is a condition that results from exposure in the workplace to a physical, chemical, or biological agent to the extent that the normal physiological mechanisms are affected, and the health of the individual is impaired.

“Occupational Injury” is an injury that occurs in the course of employment if the surrounding circumstances relating to place, time and activity indicate that the injury was work related. (e.g. is caused by a work-related task or environment)

“Principal Investigator” is the individual who has primary responsibility for the design, execution, and management of a research project and who will be involved in the project in a significant manner.

“Recurrence”: If an Employee returns to work before the end of the Waiting Period but has a recurrence of the same Disability within one (1) calendar month of returning to work, the period(s) of return may be, and the subsequent absence will be, a continuation of the original sick leave. This aligns the Sick Leave Benefit with the insurer’s administration of the Waiting Period for Long-Term Disability (“LTD”) Benefits. Where an Employee has exhausted their Sick Leave Benefits and experiences a recurrence of the same Disability within

180 calendar days of their return to work, the Employee is not entitled to the Sick Leave Benefit. This coordinates with the insurer's administration of the LTD benefit, whereby the Employee is eligible to apply for reinstatement of their LTD benefit.

“Sick Leave” is an absence from work and performance of regular duties due to illness, injury or contagious disease that can be supported by Substantiated Medical Documentation. Sick Leave can consist of paid or unpaid time. Also referred to as “Short Term Disability.” Sick leave will be unpaid if absences are Episodic and do not meet the criteria for the Sick Leave Benefit, or if the Sick Leave Benefit has been exhausted. Sick Leave Benefit may be suspended pending further verification if circumstances change or new information is received such that entitlement to the benefit is unclear.

“Sick Leave Benefit” refers to income replacement for a specified period of time. Also referred to as paid “Sick Leave” and/or “Short Term Disability Benefit.” Corresponding with the Waiting Period, the Sick Leave Benefit provides an eligible Employee with their base pay for up to 180 calendar days of continuous absence and 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 or perform 60% of the duties of their job. If the Employee is able to work greater than 60% of the time *and* greater than 60% of the duties of their job, they would not be entitled to the Sick Leave Benefit but may be entitled to Accommodation under the Workplace Accommodation Policy and Procedure. If the Employee returns to work in a graduated capacity following a period where they were entitled to the Sick Leave Benefit, the Employee will retain the Sick Leave Benefit until they are either able to return to work in a full-time capacity or their Sick Leave Benefit has been exhausted.

“Substantiated Medical Documentation” means, sufficient and verifiable medical documentation from a person who is qualified to practise as a physician, a registered nurse or a psychologist under the laws of the jurisdiction in which care or treatment is provided and includes:

- The nature of the medical condition and current abilities, including the restrictions/limitations, that precludes the Employee from performing one or more of the Bona Fide Occupational Requirements of their job. Please note, that we are not requesting a diagnosis of any medical condition.
- Confirmation as to whether the Employee is currently receiving, and complying with, a treatment plan.
- The expected duration of the Employee’s absence, or next date of reassessment if duration is unknown.
- Any temporary accommodation that could safely return the Employee to work in the near future; and/or
- Surgery date and expected recovery time, if applicable.

At the discretion of Human Resources, an alternate registered treatment provider in a professional field related to the Employees Disability and related treatment may be considered as supporting documentation.

“Term Appointment” A term appointment is one in which the end date is stated, beyond which there is no commitment of employment on the part of the University. Normally, a term appointment is from four months to one year in length, although such an appointment may be for a longer period. Any employment beyond the stated end date must be specified in a revised letter of appointment which either extends the

initial appointment or specifies the conditions of a new appointment. Casual, adhoc and/or student employment does not constitute a Term Appointment.

A **“Time Recording Code”** (TRC) is an identifier used in Queen’s University’s HR PeopleSoft Time and Labour system to accurately record and categorize employee attendance, including absences. TRCs ensure that time away from work is properly tracked for payroll, benefits administration, and compliance with University policies and collective agreements. When an employee is absent due to illness, injury, or other medically substantiated reasons under the Sick Leave Policy, the Employment Supervisor must enter the appropriate TRC on the employee’s timesheet. Please refer to the [Time Reporting Code Matrix](#) located on the Human Resources Intranet if you are unsure which code to use.

“Undue Hardship” is a legal standard providing contextual examination of a number of factors, including cost, outside sources of funding, and health and safety requirements, when weighing requirements of Accommodation against the reasonable ability of the employer to provide an appropriate Accommodation. The employer is required to provide Accommodation to the point of Undue Hardship.

“Waiting Period” The Waiting Period, also referred to as the Qualifying Period, is the initial stage of a Disability during which an Employee must be continuously absent due to incapacity in order to become eligible for LTD Benefits.

- Any period in which an employee is unable to work at least 60% of their scheduled hours or is unable to perform 60% of their job duties will count towards the Waiting Period.
- The Waiting Period lasts 180 consecutive calendar days of continuous absence.
- Once the Waiting Period ends, Sick Leave Benefits will cease, and LTD payments, if approved, will begin through the insurer.

Purpose/Reason for Policy:

Sick Leave Benefit provides income replacement for eligible Employees who are unable to work due to a verified Disability. The Sick Leave Benefit bridges the gap between the onset of disability and the start of Long-Term Disability (LTD) benefits, aligning with the insurer’s Waiting Period. This policy applies only when the employee would otherwise have been paid but for the Disability – for example, the Employee is not on layoff, recall or leave of absence other than previously-approved vacation.

By providing this benefit, Queen’s supports employee wellbeing, promotes financial security during health-related absences, and helps maintain workforce stability and trust.

Scope of this Policy:

Unless otherwise provided for within the applicable collective agreement or employment contract, this Policy applies to all University Employees, who have completed their first three (3) months of employment and are actively employed with Queen's University as either:

- A Continuing full-time or Continuing part-time or Continuing-Term Appointment, or
- A Term Appointment where the offer letter or applicable collective agreement specifically states that the employee will be entitled to Sick Leave Benefit until the specified end date of said appointment.

Within the first three months of employment, eligible employees may request up to three (3) days of Sick Leave Benefit and retain entitlement to the Waiting Period for the LTD Benefit. If a collective agreement provides different sick leave provisions, those terms will take precedence. In the event of a conflict between this Policy and an applicable collective agreement, the terms of the collective agreement shall prevail.

Policy Statement:

Eligible Employees can apply for paid or unpaid Sick Leave with the University.

Employees who experience a Disability or illness that prevents them from performing the Bone Fide Occupational Requirements of their job may be entitled to receive Sick Leave Benefits, beginning at the Commencement of Benefit.

Sick Leave Benefits are granted at the Commencement of Benefit, subject to the fulfillment of the Substantiated Medical Documentation requirements. While some collective agreements allow for the accumulation of eligibility, Sick Leave Benefits are payable only to Employees who are eligible and actively employed by the University at the time the Sick Leave Benefit is provided. Failure or refusal to cooperate in providing Substantiated Medical Documentation may result in the denial of Sick Leave Benefits, approved absence, and/or Accommodation.

The Sick Leave Benefit is not intended to provide unlimited income replacement for Incidental Absences or Episodic Absences which do not trigger the Waiting Period. Employees may receive paid time off for Incidental Absences and Episodic Absences, however, excessive absences could be subject to review and an attendance management process. Where abuse of the Sick Leave Benefit is suspected, paid Sick Leave may be withheld until Substantiated Medical Documentation has been received.

An Employee absent from work due to an Occupational Disease or Occupational Injury, that is subject to an outstanding Workplace Safety and Insurance Board (WSIB) claim, may 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 to compensate for any Sick Leave Benefit paid.

Responsibilities:

It is the Employee's responsibility to:

- Record time absent from work in applicable time reporting system for approval by Employment Supervisor
- Contact their Employment Supervisor to request Accommodation or Sick Leave.
 - Contact their Employment Supervisor as soon as possible upon the onset of a Disability that impacts their ability to work. You do not need to share diagnosis of a medical condition but rather the functional limitations that impact your ability to work.
 - Maintain communication throughout the recovery period.
 - Provide information on a prognosis for return to work when available.
- Cooperate fully in the Workplace Accommodation or Sick Leave process including but not limited to:
 - Participating in the provision of documentation or information necessary to process any claim for Sick Leave Benefits or to substantiate the need for Accommodation. Providing Substantiated Medical Documentation as soon as possible following the onset of Disability and/or when requested by Employee Wellness Services or the Employment Supervisor.
 - Providing periodic updates of the Substantiated Medical Documentation to support ongoing absences or advising the appropriate parties of changing circumstances as they emerge.
 - Being responsive to all communication from Employee Wellness Services as it relates to the request for Accommodation or Sick Leave.
- Participating (Cooperating) in an Accommodation that is proposed in good faith and in accordance with the *Return-to-Work Policy/Procedure and the Workplace Accommodation Policy/Procedure*.

It is the Employment Supervisor's responsibility to:

- Inform the Department of Environmental Health and Safety of an Occupational Injury or Occupational Disease and complete an Incident Report within 24 hours or next business day of the [reported incident](#). Please note that Critical Injuries must be reported immediately.
- Make early and regular contact with an injured or ill Employee as soon as possible after the reported Disability and notify Employee Wellness Services if absence is expected to exceed two (2) weeks and/or assistance with establishing Appropriate Accommodation is required. Notification is critical in the event of a long-term absence to ensure that the Employee receives

information on Long-Term Disability Benefits, if applicable.

- Maintain confidentiality, any requests for documentation will adhere to applicable privacy legislation.
- If an Employee submits the Substantiated Medical Documentation or other medical documents directly to their Employment Supervisor, the Employment Supervisor will immediately provide this documentation to Employee Wellness Service and remind the Employee of their obligation to send this documentation to Employee Wellness Services directly. Once forwarded, the Employment Supervisor will destroy medical documents received.
- Identify the Bona Fide Occupational Requirements of the position, in consultation with Employee Wellness Services
- Record time absent from work in Peoplesoft using the appropriate Time Recording Code, if applicable.
- Implement internal procedure supporting Employee notification of Sick Leave requirement. Suggested internal procedure would be for the Employee to notify Employment Supervisor directly prior to the leave commencement through written or verbal communication, where feasible including timely notification requirements. In addition, to the employee reporting the absence through the internal reporting tool if applicable.
- Departments employing research, grant and contract Employees, supervised by a Principal Investigator, with paid Sick Leave of one month's duration or longer may be entitled to reimbursement of Sick Leave Benefits paid outside of the first month of absence, if the absence has been reported to Employee Wellness Services.

Employee Wellness Services, Human Resources Department,

- Provide advice, guidelines, and resources related to policy interpretation to Employees and Employment Supervisors including information on benefit eligibility, benefit usage and the Long-Term Disability benefit.
- Support Employment Supervisors in determining the BFOR and in developing plans for operational coverage and support of their teams
- Provide recommendation to Employment Supervisor regarding the approval and payment of Sick Leave and Sick Leave Benefits, informed by a risk assessment and past practice
- Communicate Employee and medical updates to the Employment Supervisor on regular intervals or as needed.
- After an absence of four (4) months and if they have been advised of the absence, Employee Wellness Services will automatically send LTD application papers to the Employee, if applicable.
- Ensure the policy is interpreted and applied to promote the University's commitment to building an inclusive community.
- Ensure employment information is available, and processes established to enhance accessibility for Employees.
- Communicate with the Employee on Sick Leave to ensure that Substantiated Medical Documentation has been completed.

- Maintain confidentiality as required under this policy and ensure that accommodation requests are managed in a manner that is consistent with applicable privacy legislation.
- Consult with other departments, health care providers, and third-party assessors as required.

Union Representatives (where applicable)

- Work with the Employer and other members to address existing barriers to an early and safe return to work.

Contact Officer	<i>Director, Employee Wellness Services</i>
Date for Next Review	
Related Policies, Procedures and Guidelines	<i>Accessibility Policy</i> <i>Workplace Accommodation Policy</i> <i>Workplace Accommodation Procedures</i> <i>Accommodation Program</i> <i>Recruitment and Selection Policy</i> <i>Return to Work Policy</i> <i>Return to Work Procedures</i> <i>Harassment/Discrimination Prevention and Response Policy</i> <i>Grievance Procedure</i> <i>Employment Equity Policy</i> <i>Employment Equity Procedure</i> <i>Incident Reporting Procedures</i> <i>All collective agreements between Queen's University at Kingston and Employee groups</i>
Policies Superseded by This Policy	