



Sick Days and Short Term/Long Term Medical Leave Policy

Approved by the Board of Directors on November 18, 2016

Sick Days/Personal Emergency Leave

1. Employees shall be entitled to ten (10) days of paid sick leave due to illness during the term from May 1 to April 30, whether they are employed on a full time or part-time basis. There is no pro-rating of the ten (10) day entitlement. An employee who begins work part way through a calendar year is still entitled to ten (10) emergency days during the remainder of that year. Employees cannot carry over unused personal emergency leave days to the next calendar year. The ten (10) days of personal emergency leave do not have to be taken consecutively. Employees can take personal emergency leave in part days, full days, or in periods of more than one day. If an employee takes only part of a day as personal emergency leave, the employer can count it as a full day of leave.
2. An employee must inform the employer before starting the leave that they will be taking a personal emergency leave of absence. In an employee has to begin a personal emergency leave before notifying the employer, the employee must inform the employer as soon as possible after starting it. Notice does not have to be given in writing, oral notice is sufficient. While an employee is required to tell the employer in advance that they are taking a leave, the employee will not lose the right to take personal emergency leave if the employee fails to do so. An employer may discipline an employee who does not properly inform the employer, but only if the reason for the discipline is the failure to properly notify the employer and not in any way because the employee took a leave.
3. Employees shall be required to provide evidence of illness in the form of a doctor's note for two consecutive shifts (if part time) or three work days (if salaried). Employees are required to provide evidence reasonable in the circumstances that they are eligible for a personal emergency leave of absence. What will be reasonable in the circumstances will depend on all of the facts of any given situation, such as the duration of the leave, whether there is a pattern of

absences, whether any evidence is available, and the cost of the evidence. If the circumstances are such that it is reasonable for the employee to provide a doctor's note, the employer can only ask for the following information: the duration or expected duration of the absence, the date the employee was seen by a healthcare professional, whether the patient was examined in person by the health care professional issuing the certificate. Employers are not allowed to require the information about the diagnosis or treatment of the medical condition of the employee.

4. The employee shall not be dismissed, suspended, laid off, demoted or disciplined by an employer because of absence due to illness or injury if the employee has completed three consecutive months of continuous employment by the employer prior to the absence, the period of absence does not exceed seventeen (17) weeks, and the employee, if requested in writing by the employer within fifteen (15) days after his return to work, provides the employer with a certificate of a qualified medical practitioner certifying that the employee was incapable of working due to illness or injury for a specific period of time, and that the period of time coincides with the absence of the employee from work.
5. Any employee found to be abusing sick leave shall be disciplined. Disciplinary actions may include, but are not limited to, deductions of pay for time missed or deduction of vacation days equivalent to abused sick days.
7. Additional sick days are unpaid and must be accompanied by medical documentation
8. If a collective agreement between NUSU and the employee has been made, the provisions outlined in this policy would not be applicable. The terms for vacation days in the collective agreement or contract of employment would be governed exclusively by such agreement or contract of employment.

Short Term Medical Leave

1. A employee is eligible for sick leave benefits and is considered to be on sick leave whenever he/she is by reason of illness, accident, or injury unable to perform his/her regular workload duties for longer than the period of time designated in the "Policy for Sick Days".
2. An Employee is entitled to up to 10 days of Short Term Medical Leave within a 12 month entitlement.
3. The above clause is subject to the condition that the employee makes up any duties when he/she returns.

4. Short Term Medical Leave must be accompanied by sufficient medical documentation that is to be presented to the Executive Committee.
5. The Executive Committee must use reasonable and fair judgement when assessing the credibility of the medical documentation.
6. Any employee found to be abusing medical leave shall be disciplined. Disciplinary actions may include, but are not limited to, deductions of pay for time missed or deduction of vacation days equivalent to abused medical leave days.

Long Term Medical Leave

1. An employee must request long-term medical leave if their short-term medical leave extends beyond ten (10) consecutive business days.
2. The Executive Committee shall deliberate on the request from the employee to extend a short-term medical leave to a long-term medical leave.
3. When a staff member requires an extended period of time to recover from an illness or injury, a healthcare provider must be consulted to provide an estimate and rationale for the time required. The Executive Committee must approve the medical professional, and must use reasonable and fair judgement when assessing the credibility of the healthcare provider.
4. The final decision of the Executive Committee must be accompanied by a written rationale from the Vice-President Governance & Legal Affairs.
5. If long-term medical leave is required, the Executive Committee and the employee taking the leave shall take steps to ensure that the medical leave is as productive as possible. Such steps could include a work-from-home initiative if the employee is able and their position allows it. Steps must be done with the consent of the employee taking the leave with the approval of the medical consultant.
6. Executive members who require a long-term medical leave that results in them being away from work for ninety (90) days or more may be unable to perform their required duties. At the discretion of the Board of Directors, a vote on the continued employment of the Executive member can be called by any member of the Board of Directors provided notice is given to the chair of the Board of Directors within fifteen (15) business days of a Board of Directors meeting.
 - a. If the Board of the Directors votes to remove the Executive member (requiring a two-thirds (2/3's) approval vote at the Board of

Directors) the Executive member shall cease their duties.

7. Any Employee who resigns or is terminated on medical grounds while on long-term medical leave shall be compensated the remainder of their vacation pay as well as 50% of their salary prorated to the remainder of their term
8. Any employee found to be abusing medical leave shall be disciplined. Disciplinary actions may include, but are not limited to, deductions of pay for time missed or deduction of vacation days equivalent to abused medical leave days.