



Sick Leave and Short Term Disability Leave

Questions and Answers

Q1. What are the general features of the Sick Leave (SL) and Short Term Disability (STD) plan?

A1. For injuries/illnesses of short duration, the main features are as follows:

For permanent employees:

1. The plan provides 11 SL days at 100% and 120 STD days at 90% at the beginning of each fiscal year.
2. Once you have used up 11 SL days payable at 100% of your regular wages, you draw on your 120 STD days payable at 90% of your regular wage. You will be notified by your school board when your SL days at 100% are exhausted.
3. Sick days can be used for personal illness or injury, personal medical appointments or personal dental emergencies.
4. The employer will require medical notes for absences of five consecutive days or longer.
5. SL/STD days cannot be carried over from one fiscal year to the next. *However, in the following situations, the previous year's allocation can be drawn upon:*

Unused SL days from the previous year can be accessed to top up STD days from 90% of regular wages to 100% in the current year.

Up to 11 SL unused days from the previous year can be carried over to the next year, and each such SL day can be divided into 10 top up portions, potentially giving you up to 121 days (11 SL and 110 STD) paid at 100% of regular wages.

In addition, top-up for compassionate reasons will be granted on a case-by-case basis. Such top-up may not exceed two days and is dependent on having two unused short-term leave and/or miscellaneous leave days available in the current year.

6. The value of each SL/STD day is pro-rated for employees who are permanent at less than one FTE. If for example, you are permanent at five hours per day, each SL/STD day is worth five hours per day. If you miss a full day, you use a full SL or STD day, whichever the case may be.

7. When you miss part of a day, e.g. to attend a personal medical appointment, SL/STD days are deducted in accordance with existing local practices.

For casual employees on long-term supply (LTSA) assignments:

Please note: the definition of “long term supply assignments” comes from your local agreement, or, if no definition exists in your local agreement, it is defined as 12 days of continuous employment in one assignment.

8. The plan provides 11 SL days at 100% and 120 STD days at 90% at the beginning of each fiscal year.
9. Once you have used up 11 SL days payable at 100% of your regular wages, you draw on your 120 STD days payable at 90% of your regular wage. You will be notified by your school board when your SL days at 100% are exhausted.
10. Your allocation of SL and STD days is pro-rated to the expected length of your assignment. If your assignment is expected to be nine months, and the FTE for the position you are filling in for is ten months, your SL allocation would be: $11 \text{ (days)} \times 9 \div 10$, which = 10 days. Similarly, your STD allocation would be $120 \text{ (days)} \times 9 \div 10$, or 108 STD days.

If the length of your LTSA changes, the SL allocation will be correspondingly adjusted.

11. Any SL/STD allocation remaining at the end of your assignment can be drawn upon if you work another LTSA in the same fiscal year.
12. The value of each SL/STD day is pro-rated for employees who are working less than a full day. If for example, you are in a LTSA at five hours per day, each SL/STD day is worth five hours per day. If you miss a full day you use a full SL or STD day, whichever the case may be.

If the hours you work in a day increase, the value of your SL/STD credits will also increase, to reflect the length of your new work day.

13. Sick days can be used for personal illness or injury, personal medical appointments or personal dental emergencies.
14. Medical notes may be requested by the employer for absences of five consecutive days or longer.
15. **Casual employees in an LTSA can only use their SL/STD days in the year in which they are allocated.** That means you would not have access to “top up” days nor can you draw upon unused days from the previous year if you are sick at the beginning of a school year with the same injury/illness you were off work with at the end of the previous year.
16. When you miss part of a day, e.g. to attend a personal medical appointment, SL/STD days are deducted in accordance with existing local practices.

Q2. Long-term injuries and illnesses, including those that carry from one school year to the next: how does the Sick Leave (SL) and Short Term Disability (STD) plan work?

A2. It depends on the type of injury/illness and its duration. Here are some scenarios:

1. **If the injury/illness is work-related**, you should apply for WSIB benefits. You will have access to any SL/STD days remaining to your credit for the current fiscal year while waiting for a decision from WSIB on your claim.

If your claim is approved by WSIB, the sick days used while establishing the WSIB claim will be reinstated or returned. If you remain off work while receiving WSIB benefits, you will no longer access SL/STD days.

2. **If the injury/illness is not work related**, use your SL/STD allotment until it is exhausted or until you qualify for LTD, whichever comes first. You should apply for LTD before your sick leave is exhausted so there is no gap in coverage. If you do not have LTD and have exhausted your sick leave, you may qualify for sick benefits under EI.

For permanent employees only – refresh of SL/STD days when off work at the end of one school year and the beginning of the next on the same injury/illness:

3. If you were off work because of an injury/illness at the end of one school year **and** the same injury/illness keeps you off work at the beginning of the next school year, **and** you are not on a graduated return to work, you must work 11 consecutive days at your regular hours before your SL/STD days are refreshed for the new school year. Once you work the 11 consecutive days you are refreshed at 11 SL days at 100% and 120 STD days at 90%.

However, if you are in this circumstance, you can access any unused SL/STD days from the previous year.

If during those 11 days you must attend a medical appointment related to the injury/illness that you are returning to work from, the time missed for that medical appointment does not count against the 11 consecutive days, i.e. it does not break the consecutive day string.

4. **If you are receiving WSIB/LTD benefits while on a graduated (or partial) return to work**, you can use those benefits to top up your wages to what you would have received had you been working a full day at your regular FTE (i.e. your “usual wage”).
5. **If you are not receiving WSIB/LTD benefits while on a graduated (or partial) return to work**, your use of SL/STD credits while on a graduated return to work depends on a few factors:

If you have SL/STD days remaining in the current year, you can use those days to “top up” your wages to your usual wage. You can also use SL/STD days for days that you are absent for the whole day.

For example, if you normally work eight hours a day, five days a week, and on your graduated return to work you are working four hours/day for four days a week, you can use 0.5 of a sick leave credit to top up your wages to 100% of your usual wage for the days you work four hours, and a full SL credit for the full day that you miss. Once your SL days at 100% are exhausted, you can use 0.5 of a STD credit to top up your wages to 90% for the days you work, and a full STD credit to earn 90% of your usual wage for each full day you miss.

6. NOTE – for permanent employees only: If your graduated return to work is from an injury/illness that commenced in the previous school year and you are not receiving WSIB/LTD benefits:

You would use any unused SL credits from the previous year to top up your wages to 100%. Once those are exhausted, you would use STD credits from the previous year to top up your wages to 90%.

SL/STD credits will be deducted in proportion to the hours in a day for which they are used.

Example: if you normally work eight hours a day, five days a week, and on your graduated return to work you are working four hours/day, four days a week, you can use 0.5 of an unused SL credit from the previous year to top up your wages to 100% of your usual wage for the days you work four hours, and a full SL credit for the full day that you miss. Once your SL days at 100% are exhausted, you can use 0.5 of a STD credit to top up your wages to 90% of your usual wage for the days you work, and a full STD credit to earn 90% of your usual wage for each full day you miss.

Once your SL/STD credits from the previous year are exhausted (or if you didn't have any), **you can draw on your SL/STD allocation for the current year** (which will be pro-rated to the hours you are working on the graduated return) **for any day you are absent**. Continuing this example, you would use a full SL credit, equivalent to four hours, to get four hours pay on the day you miss. Once the SL credits at 100% are exhausted, you would use one full STD credit to get 90% of the pay you normally received for your four-hour day.

If your graduated return to work is from an injury/illness that commenced in the previous school year, **and** you are not receiving WSIB/LTD benefits, **and** you have exhausted SL/STD credits from the previous year, **you cannot use the allocation for the current year to top up your hours**, e.g. from four to eight.

If while on a graduated return to work, the hours you work in a day increases, the value of your SL/STD credits also increase, to reflect the length of your new work day.

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