Sick Leave and Long Term Disability

Scope

This policy applies to long-term employees as defined in A 21.01

Policy

Sick Leave

1.1 Faculty members, laboratory instructors or librarians who become ill or are unable to carry out their duties may be placed on sick leave. While on sick leave they shall continue to receive 100% of salary.

1.2 Limited term or recurring limited term faculty, or limited term librarians or laboratory instructors who have less than five years service shall be entitled to sick leave as set out in A 21.01, 6.b.

1.3 Employees may be placed on sick leave while on a teaching or research semester, a study leave or a leave of absence without pay. However, employees are not eligible for sick leave while on personal leave, or when they have chosen to have the benefits package lapse during a leave of absence without pay.

1.4 The period of sick leave will commence on the date the employee was first unable to carry out assigned duties. Any absence in excess of two weeks due to illness or injury must be supported by a physician's certificate satisfactory* to the University. * Attending physician's form available here.

1.5 In any two year period, an employee is eligible for a maximum of twenty-six weeks sick leave for the same illness or injury. If the illness or injury occurs again within the two year period, and the employee has already taken twenty six weeks sick leave, he/she shall be eligible for long term disability. Any additional illness or injury not directly related to the earlier illness or injury shall also carry a maximum entitlement of twenty-six weeks of sick leave in any two year period.

Long Term Disability

2.1 The University maintains a Long Term Disability plan for eligible long-term employees. Except as modified by the terms of this Policy, the operation of the Plan is governed by a master agreement between the University and the Plan carrier.

2.2 At the end of twenty-six weeks of continuous sick leave, eligible employees who remain unable to carry out their duties will start coverage under the Long Term Disability Plan and their salary payments will cease.

2.3 The Long Term Disability Plan provides income replacement at the level of 70% of salary at the time eligibility for sick leave expires. When CPP disability benefits are also approved, these payments are subtracted from the benefits paid under the Long Term Disability Plan and are not additional payments. During the period of long term disability the University pays the employer and employee contributions for all benefits except optional benefits such as homeowners' insurance and optional life insurance. Pension contributions and basic life insurance premium contributions are based on the person's pre-disability salary and not the long-term disability salary.
2.4 The long term disability benefits are indexed each January 1 by the increase in the Consumer Price Index for Canada to a maximum of 7% per annum.

2.5 An employee who returns to work following long term disability but becomes disabled again may be eligible for further sick leave:

* If after three months or longer an employee is totally disabled again due to an injury or illness directly related to the previous disability and has not had 26 weeks of sick leave during the previous two years, the employee is eligible for sick leave up to a maximum of 26 weeks in the two year period.
* If at any time an employee is totally disabled again due to an unrelated injury or illness, the employee is eligible for sick leave.
* If within three months an employee is totally disabled again due to an injury or illness directly related to the previous disability, the employee is not entitled to another period of sick leave and shall return directly to long term disability.

2.6 Employees on full-time long term disability shall have the schedules for contract renewal, tenure, and salary review considerations suspended until they resume full or part-time work.

2.7 Employees who have been on long term disability and who have recovered sufficiently from illness or injury to resume a portion of their duties, may be able to return to work part-time. The Chair of the Department and the Dean shall be responsible for determining whether and to what extent the employee is capable of undertaking the assigned duties.

2.8 When an employee resumes work (either part-time or full-time), the employee’s salary shall normally resume at, and in no case lower than, the pre-disability salary step. The employee shall be subject to the normal salary review schedule and policy.

2.9 When an employee resumes part-time work while remaining on partial long term disability, the employee shall receive a blend of salary and disability benefits as follows:

a. a salary component that is pro-rated to the proportion of full-time employment; and
b. a long term disability benefit component that is 70% of the difference between the salary for full-time employment and the pro-rated salary being received.

2.10 Where an employee is ineligible for coverage under the Long Term Disability Plan and is unable to return to work and perform the full scope of their duties, s/he can elect to take an unpaid leave of absence for up to 24 months. Any benefit coverage during the unpaid leave of absence is subject to carrier approval and the cost of any premiums will be 100% employee paid.

General

3.1 Complete semesters spent on sick leave or long term disability shall not count as teaching or research semesters. If a sick leave begins or ends during the course of a semester, the Dean shall decide how the semester will be treated with respect to teaching and research.

3.2 In the event that a faculty member is on sick leave for a substantial part of a study leave, every effort shall be made to provide the faculty member with additional study leave time to compensate for the lost sabbatical time.

3.3 a. A Department Chair who is concerned about the performance of an employee because of repeated absences or persistent inability to perform duties should consult with the Dean. The Dean may require the employee to provide a written statement from his/her physician saying that he/she has been examined and found to be fit/unfit to perform all duties. The University has the right to request a second medical opinion and consider both. Following this, the employee may be required to seek medical attention in an effort to improve his/her health or condition, and may be placed on sick leave until evidence is produced.
which satisfies the University that the employee is capable of resuming his/her former duties.

3.3  b. If in the Dean’s opinion an employee is unable to perform his/her normal duties, the Dean shall recommend to the Vice-President, Academic that the employee be relieved of his/her duties and placed on sick leave. The Dean shall advise the employee of the recommendation made to the Vice-President, and the employee can provide the Vice-President, Academic with additional information.

3.3  c. The Vice-President, Academic shall make the decision in such a case and in doing so shall determine when (within three months) he/she will review the case and what improvement is to have occurred before reinstatement can take place.

3.4  If an employee disagrees with the Dean or University Librarian’s decision regarding the application of this policy, he/she may appeal to the Vice-President, Academic.

Procedures

1.1  An employee who is unable to work because of illness or injury must advise the Department Chair or University Librarian as soon as possible.

1.2  If the illness or injury continues for more than two weeks, the employee must obtain a physician’s certificate describing the illness or injury, stating the date the illness commenced or the injury occurred and estimating where possible, the length of time required for recovery.

1.3  An employee on sick leave will normally be expected to advise the Department Chair once a month concerning his/her condition.

2.1  If the absence extends beyond two weeks, the Department Chair shall recommend to the Dean that the employee be placed on sick leave. A physician’s certificate as described in 1.2 must be attached to the recommendation of the Department Chair.

3.1  After reviewing the recommendation of the Department Chair and the medical certificate, the Dean may approve the leave and will notify the employee and the Department Chair. A copy of the Dean’s approval and the medical certificate will be sent to:

- Vice-President, Academic
- Return-to-Work Coordinator
- Payroll

3.2  If the Dean is not satisfied with the documentation supporting the sick leave recommendation, he/she shall request that additional documentation be obtained by the Department Chair.

4.1  At any time during a sick leave and in any event no later than the fourth month, if the medical prognosis is that the employee will not be able to return to work prior to the expiry of his/her sick leave, the Return-to-Work Coordinator shall contact the employee and provide the necessary forms for applying for long term disability benefits.

4.2  If an employee is unable to resume work, after twenty-six weeks sick leave, then the Vice-President, Academic’s office shall place the employee on long term disability or leave of absence without pay.

4.3  When an employee is placed on long term disability, the Return-to-Work Coordinator shall advise the following:

- Department Chair
- Dean
- Vice-President, Academic
- SFUFA
5.1 When an employee is well enough to resume normal duties, the Department Chair and Dean shall advise the Vice-President, Academic, and Return-to-Work Coordinator of the date the employee is expected to return to work.

Interpretation

Questions of interpretation of this policy or its procedures shall be referred to the President, whose decision shall be final.

\(^1\) Includes Director of a School or Division Head

October 1, 1992