

2019 CUPE Sick Leave Protocol (effective November 4th, 2019)

Q&A

We hope you find the answers you need on this page but if not, please contact us

Transitioning to the new Protocol

The new 2019 Protocol threshold (14 days and 4 occurrences/98 hours in the last 12 months) will be introduced on November 4th 2019. If you meet the threshold during the 12 months prior to November 4th, 2019, you will be placed on the new protocol. We will be running reports and sending out letters in a 4-week transition period from October 28th, 2019. Due to payroll scheduling, the 4-week transition period is needed to put all the changes into place after the go-live date. If new letters are required, please allow 4 weeks for these to be sent out.

Only the continuous sick leave still ongoing as of the go-live date will be counted towards the 26-week maximum. Any sick leave previously aggregated will not be brought forward.

The entire amount of continuous sick leave that started before and continues after the go-live date will be counted towards your 26-week maximum. Any previously aggregated sick leave will not be brought forward or counted towards the 26-week maximum.

If you previously received a letter on the old protocol, it will no longer be valid if you do not meet the new threshold as of the go-live date.

You will receive a letter from W&R after the transition period advising you that you are no longer on protocol unless you have met the new threshold. If you have met the new threshold, you will receive a new letter from W&R explaining the new threshold and the 6-month requirement to submit medical certificates for every sick leave.

New letters will be sent from W&R during the transition period. If you have not received a new letter by Dec. 15, 2019 and you believe you should no longer be on the old protocol, send an email to rtw_dm@sfu.ca.

On your next sick day, your Supervisor will advise you if and when you have met the threshold. See

The 2019 Protocol Threshold

If you have been away 4 times for a total of 98 hours (14 days counted as 7 hours per day and pro-rated for part-time employees) of paid sick leave in a 12-month period, your supervisor will refer you to Wellness and Recovery (W&R). W&R staff may suggest resources and explore options if there are chronic health issues, which may include looking at appropriate accommodations to help you to stay at work. Your supervisor will advise if you are required to provide a medical certificate for every sick leave absence for the next 6 months.

At the end of 6 months on protocol, if your sick leave has dropped below the threshold, your supervisor will let you know that medical certificates are no longer required.

The threshold is calculated over a rolling 12-month period. If you take sick leave while you are on the protocol, you may reach the threshold again, and your period on protocol will be extended.

The threshold will be pro-rated for part-time employees (ie, if you work 0.5 FTE, the threshold will be 4 occurrences/shifts and 49 hours).

Supervisors will receive system-generated emails after the payroll exception reporting is processed if sick leave meets the new threshold. You will receive a system-generated email when the 6 month period has expired. Letter templates are available for use in both circumstances.

Supervisors will be instrumental in determining when your staff member has returned to full duties. In a Gradual Return to Work (GRTW), W&R will be monitoring the plan and the increase in hours to full time but will rely on your expertise in determining if and when your staff is working at full duties so the Return to Work (RTW) plan can be closed.

Medical Documentation

If you have been away for

Appealing a Decision

We encourage you to have a discussion with the W&R staff; but if you still disagree with the response, you may send an appeal (appeal format is being developed) to the W&R email address rtw_dm@sfu.ca with a copy to the Union office and specify what you are appealing and why. Formal appeal cases will be referred to the Joint Case Review Committee, and a response will be provided within 10 working days.

Attendance Management

SFU has Attendance Management Guidelines which address this issue. The document is available on the SFU website and provides step by step directions. Please connect with your HR Advisor to discuss next steps.

Examples

The following scenarios provide some practical examples of how the 2019 protocol will work:

Threshold is met (4 occurrences AND 14 days/98 hours in a 12-month period)

A continuing full time employee, who had no sick leave earlier in 2018, takes sick leave as follows:

December 18-21, 2018 (4 days/shifts sick leave)

February 6-7, 2019 (2 days/shifts sick leave)

May 6-8, 2019 (3 days/shifts sick leave)

November 15, 18-21, 2019 (5 days/shifts sick leave)

The threshold has been reached on November 21, 2019. The employee is referred to the W&R team. If there is a chronic condition which is impacting the amount of time off, the W&R team can assist with accommodation, resources and support with confidentiality. If there is no chronic condition, the supervisor will require medical certificates for all future sick leave for 6 months after the threshold was reached (in this case, May 21, 2020).

Sick Leave during the 6-month period

A continuing full time employee reaches the threshold on November 21, 2019. There is no chronic condition impacting the individual's ability to come to work, so they are placed on the protocol until May 21, 2020. During the 6 months on protocol, they take sick leave again on January 14-17, 2020 (4 days). The rolling total of sick leave in the last 12 months (January 17, 2019 to January 17, 2020) meets threshold again. A new 6-month period starts on January 17, 2020, so the employee will continue on the protocol until July 17, 2020 (6 months from January 17, 2020).

On sick leave on the go-live date November 4, 2019

A continuing full time employee has been on sick leave since October 11, 2019 and is likely to stay on sick leave for a while longer. They have 20 weeks of aggregated sick leave over the last 7 years for this illness. They will remain on paid sick leave for up to 26 continuous weeks counted from the start date of the current absence which is Oct. 11, 2019.

More questions? Contact the Wellness & Recovery Office rtw_dm@sfu.ca