



YOUR SICK LEAVE QUESTIONS EXPLAINED

ETFO collective agreements include a sick leave plan for teachers, long-term occasional (LTO) teachers, designated early childhood educators and other ETFO education worker members. This plan provides both sick leave days and short-term disability days.

If you are employed in a permanent full-time position, your sick leave entitlement each school year is as follows:

- 11 sick days at 100% of salary;
- 120 short-term leave and disability plan (STLDP) days at 90% of salary; and
- “top-up” of the STLDP days from 90% to 100% of salary from any of the unused 11 sick days of the previous school year.

Members who hold permanent assignments that are less than full-time have access to a pro-rated sick leave allocation based on their full-time equivalent (FTE) status.

On the first day of each school year your sick leave entitlement is renewed, i.e., your entitlement is replenished to 11 sick days at 100% of salary, 120 STLDP days at 90% of salary and any top-up days from the previous year’s unused sick days.

How does the sick leave “top-up” work?

If you used less than 11 sick days during the previous school year, the difference between the 11 sick days allocated and the amount of sick days you actually used will be your top-up days. Each top-up day can be used to increase STLDP days from 90% of salary to 100% of salary.

For example, if you only took one sick day last school year, you would have 10 unused sick days to use for top-up in the current school year. The 10 top-up days would increase your STLDP day payments for 100 days to 100% of salary. The remaining 20 days of STLDP days, if used, would be at 90% of salary. Top-up days are NOT cumulative.

I am an occasional teacher in an LTO position. Do I get sick leave benefits?

Yes. During an LTO assignment with a known end date, members are eligible for 11 sick days per year at 100% of salary and 120 STLDP days per year at 90% of salary, pro-rated to the length of the LTO assignment.

Following ratification of the 2014-2017 Central Agreements, a dispute between ETFO and OPSBA about sick leave was referred to an arbitrator. What did the arbitrator determine?

In October 2016, the arbitrator determined that the sick leave plan in the 2014-2017 Central Agreements for teachers, occasional teachers and for education workers should be revised to address two specific issues:

First, members returning after the start of a new school year from an illness or injury that occurred in the previous school year would be entitled to their full sick leave upon their return for any new sickness or injury but would need to work 11 days at their full “full-time equivalent” position, in order to access their sick leave for a recurrence of the **same illness or injury** that prevented them from starting the school year.



Second, members who are recovering from an illness that occurred in the previous school year, and who can only return to work on a part-time basis, are only entitled to receive sick leave that is pro-rated based on the working portion of the member's day. For example, if a member with a 1.0 full-time equivalent (FTE) position is only able to return to work on a 0.5 FTE basis, the member would only receive half of their sick leave entitlement (that is 11 half sick leave days and 120 half STLDP days) until the member is able to return to full-time employment. The entitlement can only be used for that portion of the day that the member returned.

This revised sick leave language took effect on January 1, 2017.

What does the arbitrator's decision mean for members who need to access sick leave?

For most ETFO members, the revised language does not affect their access to sick leave. On the first day of the school year most members would receive their full allotment of sick days and STLDP days, as well as any unused top-up days remaining from the previous school year.

Does the arbitrator's decision mean I have to work 11 consecutive days at the start of each school year in order to receive my sick leave entitlement?

No, most members should have immediate access to sick leave for any absence due to illness or injury on the first day of the school year.

I had a headache on the last day of the school year and took a sick day. Do I have to work 11 consecutive days the next school year to receive my sick leave?

No, an episodic illness on the last day of the school year does not affect your ability to access sick leave in the next school year. You should receive your full sick leave entitlement if you return to work at the start of the school year.

Who could be affected by the arbitrator's decision and the revised sick leave language?

The revised sick leave language will affect only two groups:

- members who have a continuing illness or injury that spans two school years; and
- members who are returning to work on a gradual basis from an absence due to injury or illness.

If you are experiencing a recurring illness or injury that spans two school years, or anticipate a gradual return to work from an illness or injury, you should contact your ETFO local office or staff in Professional Relations Services at the provincial office immediately to assist you.

The board is challenging my medical documentation. Can the board withhold access to my sick leave?

Many collective agreements set out the conditions under which medical documentation may be requested. Your board may also ask for documentation if it has a reasonable basis to challenge the nature of your absence or return. Your local collective agreement may also specify if the board will pay for this documentation.

Contact your local or staff in Professional Relations Services at the provincial office immediately to assist you if the board is questioning your medical documentation or requesting additional information.

