

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.1.5
Section Hours of Work and Leave	Subject Sick Leave	

1. APPLICATION

This policy governs sick leave for all non-unionized employees of the Municipality of the County of Annapolis.

2. AUTHORITY

Section 30, *Municipal Government Act* as amended

3. DEFINITIONS

3.1 Permanent Full-Time Employee - A permanent full-time employee is hired for an indefinite period of time and is normally scheduled to work thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.2 Permanent Part-Time Employee - A permanent part-time employee is hired for an indefinite period of time and is scheduled to work (on annual average) less than thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.3 Term / Temporary / Seasonal Employee - A term, temporary or seasonal employee is hired (full-time or part-time) into a position that is designated to run for a defined period of time (generally six (6) months or less). Term / temporary / seasonal employees are entitled to only those benefits as provided by the *Labour Standards Code* and Regulations.

3.4 Casual Employee - A casual employee is hired on an as needed basis. Casual temporary employees are entitled to only those benefits as provided by the *Labour Standards Code* and Regulations.

4. POLICY INTENT

4.1 The intent of sick leave is to provide permanent employees with some protection against loss of earnings during short-term periods when, due to illness, they cannot perform their assigned duties. Participation in the long-term disability program is a condition of employment for permanent employees. However, there is a 119 day waiting period for receiving long-term disability benefits. Accumulated sick leave is intended to bridge this waiting period. Typically, a full-time employee using only 1 sick day per year will only reach the maximum sick leave accumulation (120 days) after about 7 years of continuous employment.

5. EARNING SICK LEAVE

5.1 Permanent Full-Time Employees shall earn sick leave credits at the rate of one and one-half days per month of service to a maximum accumulation of one hundred twenty (120) days (840 hours for employees working a 35 hour work week / 960 hours for employees working a 40 hour work week).

5.2 Permanent Part-Time Employees shall earn sick leave credits on a pro rated basis of twelve (12) hours per 173 hours worked (or ten and one-half [10.5] hours per 151.66 hours worked). The maximum accumulation will be one hundred twenty (120) days (hours pro-rated to 120 working days).

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- 5.3 **Term / Temporary / Seasonal / Casual Employees** shall be entitled to three (3) paid sick days per year.
- 5.4 There shall be no accumulation of sick time for standby or overtime hours.
- 5.5 Employees shall not earn sick leave credits while on any form of leave without pay or during a period of unpaid suspension.
- 5.6 Earned sick leave shall be reduced by the amount of sick leave taken by the employee. If earned credits for the current fiscal year are insufficient to cover the period of leave, the additional time shall be deducted from the employee's accumulated sick leave of previous years.
- 5.7 At the end of each fiscal year, an employee's unused earned sick time shall be credited to the carry-forward accumulation to the 120 day maximum.
- 5.8 The employer shall notify an employee of his / her total accumulated sick leave credits as of March 31st in any year by June 1st of each year.

6. GRANTING OF LEAVE

- 6.1 **Sick leave may be used and accumulated in half (1/2) hour increments.**
- 6.2 Employees shall inform their supervisor as soon as possible when using sick leave. The supervisor shall designate the manner in which such notification is to be provided.
- 6.3 Employees who are ill shall endeavour to notify their supervisor of the expected duration of the illness as early as possible and shall endeavour to provide as much notice as possible of the anticipated date of return to work.
- 6.4 If an employee is sick on a statutory holiday, the employee shall be paid for the holiday and no sick leave shall be deducted.
- 6.5 The employer shall permit an employee to re-schedule vacations if an employee is seriously ill prior to or during her / his scheduled vacation and submits a claim for sick leave in place of vacation entitlement.
- 6.6 In order to be entitled to paid sick leave, an employee may be required to sign a statement or produce a certificate from a medical practitioner for any illness in excess of five (5) working days, certifying that he / she was unable to carry out his / her duties due to illness. Any costs associated with such certification requirements are the responsibility of the employee.
- 6.7 In the case where an employee is considered to be using an habitual, unusual or excessive amount of sick time, the municipality reserves the right to require written reports from the employee and a physician.
- 6.8 An employee shall be granted up to three (3) days leave with pay in any one year to attend routine dental or medical appointments. Such leave shall be charged against and only used to the extent of available earned or accumulated sick leave.

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- 6.9** If a permanent employee has a dental or medical appointment required for treatment of an on-going or serious illness or condition, the employee shall be entitled to use earned or accumulated sick time to attend such appointments. However, an employee may be required to sign a statement or produce a certificate from a medical practitioner for such absences. At the employee's option, this information may be disclosed only to the Director of Human Resources or Chief Administrative Officer. At the request of the employee, written information shall be placed in a sealed envelope in the employee's personnel file.
- 6.10** It shall be the responsibility of the employee to make arrangements for the needs during illness or injury of a person dependent on the employee for care. When no one other than the employee can provide these needs an employee shall be granted up to five (5) days leave with pay in any one fiscal year for such purposes. Such leave shall be charged against and only used to the extent of available earned or accumulated sick leave. The employee also has the option to use vacation leave for such purposes.
- 6.11** A permanent employee shall be granted up to three (3) days leave without pay in any one year where the leave is required due to illness, the illness of an immediate family member or for medical, dental or other similar appointments during working hours.
- 6.12** Sick leave will not be granted in any of the following circumstances:
- illness or injury resulting from paid employment with the Municipality where Workers' Compensation or other benefits apply;
 - illness or injury resulting from paid employment of any kind other than employment with the Municipality; and
 - intentionally self-inflicted injury.
- 6.13** No payment shall be made for accumulated sick leave upon retirement or if an employee separates for any reason.
- 6.14** Abuse of sick leave benefits shall be considered serious misconduct entitling the employer to take appropriate action, up to and including termination.

7. OTHER MATTERS

- 7.1 Advance of Sick Leave:** At the discretion of the Chief Administrative Officer, special sick leave may be granted up to a maximum of 15 working days if an employee has insufficient accumulated sick leave to cover the period of illness, but can reasonably be expected to be able to return to work within a short time. Sick leave advanced in this manner must be deducted from credits earned subsequently by the employee upon return to work, before any further accumulation can take place.
- 7.2 Overdrawn Sick Leave:** Overdrawn leave must be recovered if an employee separates for any reason. The value of overdrawn sick leave is to be calculated at the employee's rate of pay in effect immediately prior to separation and is to be deducted from sums owed to the employee. If overdrawn leave exceeds the amount owed to the employee, such excess may be repaid in instalments over a period of not more than six months.

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7.3 Leave Without Pay: In circumstances where an employee has insufficient accumulated sick leave credits to cover the period of illness, leave without pay may be granted at the discretion of the Chief Administrative Officer.

8. RESPONSIBILITIES

8.1 Supervisors ensure conformance with this policy, determine that adequate accumulated sick leave exists, obtain medical certificates as required, and decide on each application for sick leave within the scope of authority delegated to them. They are also responsible to ensure sick leave is appropriately documented and such documentation is placed in the employee`s personnel file.

8.2 The Employee (or someone on the employee`s behalf) notifies the supervisor immediately of the need for sick leave and the reason for the absence. The employee must also provide any proof of illness required by this policy or otherwise requested by the person authorized to grant sick leave within five (5) working days or upon return to work whichever comes first.

Municipal Clerk`s Annotation for Official Policy Book I certify that this policy was adopted by Municipal Council as indicated below: <i>Seven (7) Day Notice</i> June 13, 2017 <i>Council Approval</i> June 20, 2017	
<u>Wanda Atwell</u> Acting Municipal Clerk At <u>Annapolis Royal</u> <i>Nova Scotia</i>	<u>June 20, 2017</u> Date

Amendments

December 20, 2011

Amended by:

- Correcting statutory references
- Adding definitions for classifications of employees
- Extending sick leave benefits to all permanent employees (full time and part time)
- Allowing up to 3 cumulative days of sick leave for routine medical or dental appointments
- Allowing up to 5 cumulative days of sick leave to care for a person dependent on the employee for care
- Providing (*Labour Standards Code*) up to 3 days of unpaid sick leave for all employees

June 20, 2017

Amended by adding three (3) paid sick days per year for Term / Temporary / Seasonal / Casual Employees