

DISABILITY LEAVE – SHORT TERM

Effective Date: November 12, 2003

Originating Office: Human Resources

Supersedes /Amends: April 22, 2002

Policy Number: HR-21

SCOPE

This policy applies to all permanent employees and to temporary employees hired for twelve months or more of the University unless specific provisions of a Collective Labour Agreement or Protocol apply.

In the case of absences due to occupational injury or illness, the provisions of the Act respecting Industrial Accidents and Occupational Injuries take precedence over the provisions of this policy. See the policy *Workers' Compensation (CSST) Reporting, Return to Work and Temporary Work Assignment* ([VPS-43](#)).

POLICY

1. The University compensates for a fixed period of time for the loss of earnings of any permanent employee and of any temporary employee who was hired for a term of twelve (12) months or more and who is unable to perform his normal duties because of sickness or accident other than an occupational injury. For permanent part-time employees, compensation is pro-rated to hours normally worked.
2. Permanent employees and temporary employees who are hired for a term of twelve (12) months or more who are disabled due to illness or injury are entitled to short term disability leave for a period of up to seventeen (17) weeks. This leave is paid at the rate the employee would receive if he were present at work.
3. The University does not compensate for the loss of earnings of any temporary employee with an employment contract of less than twelve (12) months or of a casual employee who is unable to perform his normal duties because of sickness or accident other than an occupational injury. Temporary and casual employees may file a claim under the Employment Insurance Act. If the employee was employed by the University for less than three (3) consecutive months, his employment can be terminated if he is absent from work for a period of one week or more. For employees with three (3) months of continuous service or more, employment may be terminated if the employee is absent for a total of more than twenty-six (26) weeks during the preceding twelve (12) months.

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4. Successive periods of disability due to the same or related causes, and separated by a return to work of twelve (12) weeks or less, are considered to be part of the same period of disability, which means that the benefits to eligible employees are paid for no more than a total of twenty-six (26) weeks.
5. Successive periods of disability that are entirely unrelated in cause are also considered to be part of the same period of disability if they are separated by a return to work of four (4) weeks or less.
6. When disability continues for more than seventeen (17) weeks, permanent full-time employees may submit a claim under the Long Term Disability Plan.
7. Permanent part time employees whose disability exceeds seventeen (17) weeks may file a claim under the Employment Insurance Act.
8. For any absence, the employee must advise his immediate supervisor within one (1) hour from the normal time of commencement of duties.
9. The employee must provide a satisfactory medical certificate for any absence of five (5) consecutive days or more. The University reserves the right to request a medical certificate at any time and /or to have an employee examined by another physician of the University's choice.
10. The medical certificate mentioned in paragraph 9 must justify the inability of the employee to perform his regular duties for the period of absence, specifying the prognosis, treatment and expected date of return to work, as well as fitness to resume normal or restricted duties.
11. Short term disability leave has no effect on the employee's vacation entitlement.

PROCEDURE

12. It is the responsibility of the immediate supervisor to maintain attendance records for members of his staff. He is also to inform the Compensation and Benefits Unit of Human Resources as soon as an employee has been absent for five (5) consecutive days and also at the end of each month when an employee has been absent all month.

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13. The employee may submit the medical certificate mentioned in paragraph 9 of this policy directly to his immediate supervisor or he may submit, if he wishes, the said certificate directly to the Compensation and Benefits Unit. The Compensation and Benefits Unit will advise the immediate supervisor accordingly.