



Corporate Policy

Sick Leave

Policy #: HR.11-04

Sub-Topic: Leaves of Absence

Topic: Health, Safety and Wellness

Applies to: All Non-Union Regular Full-Time employees

Policy Statement and Strategic Plan Linkages

The Town of Newmarket, as an employer, supports a work environment that fosters work-life balance through encouraging employee well-being and engagement, leading to higher levels of productivity through consistent employee attendance in the workplace in fulfilling their mission to make Newmarket even better and take action on the vision of a community well beyond the ordinary.

Purpose

This Policy provides eligible regular full-time employees with sick leave credits for personal physical or mental illness or injury. This is a paid sick leave plan that is self-insured by the Employer and works in conjunction with the organization's Long Term Disability insurance.

Definitions

Sick Leave: an absence from work due to personal physical or mental illness or non-work related injury.

Regular Full-time Hire Date: the date employment status became "regular full-time" when hired into an approved regular full-time position.

Sick Leave Credit Eligibility: an employee's continuous service from their regular full-time hire date establishes the eligibility for sick leave credits.

Sick Leave Occurrence: an uninterrupted absence from scheduled work due to personal illness or injury.

Actively at Work: when an employee has returned from sick leave to regular scheduled hours and essential duties for a consecutive period of 10 working days. Note: an employee cannot take vacation, sick or any other leave time during the 10 consecutive days to be considered actively at work.

Renewal Date: the date an employee's sick leave credits are replenished. The Employer's sick leave year coincides with the calendar year, from January 1 to December 31. The renewal date for the subsequent year is the last scheduled work date in the previous year. If absent due to illness or injury on the last scheduled work date in

the previous year, sick leave credits are renewed once the actively at work criteria have been met in the New Year.

Workplace: The Occupational Health & Safety Act defines a workplace as “any land, premises, location or thing at, upon, in or near which a worker works.”

Provisions

Sick Leave Credit

Employees become eligible for sick leave once they become a regular full-time employee and are credited with sick leave credits as follows:

Employees with less than 1-year continuous regular full-time service as of January 1st

With Director/Manager approval, new regular full-time employees may be granted up to 3 discretionary days of sick leave credits for their first 3 months of employment regardless of when the first 3 months fall within the calendar year.

Upon completion of 3 months but less than 1 year regular full-time continuous service, employees are entitled to 50 days of sick leave credits.

New Regular Full-Time Employees with less than 1 year of Service	Earned sick days credit paid at 100% of salary
First 3 months of regular full time employment	Up to 3 discretionary days with Director/Manager Approval
Greater than 3 months and less than 1 year as of January 1st	50 days total

Employees with 1 year or greater continuous regular full-time service as of January 1st

Employees with one (1) year or greater continuous regular full-time service are entitled to sick leave credits in accordance with the following sick leave credit schedule based on a 35 or 40-hour workweek, as applicable.

Sick Leave Credit Schedule

Completed years of service as of January 1st	Earned sick days credit paid at 100% of salary
1 year	55 days
2 years	60 days
3 years	67.5 days
4 years	85 days

Sick leave is credited based on 7-hour workdays for employees working a 35-hour workweek and 8-hour workdays for employees working a 40-hour workweek. Sick leave is recorded and deducted based on scheduled hours of work. For example, employees who work a 10-hour workday are credited sick time based on the applicable 35 or 40 hour workweek and sick time is deducted based on their 10-hour workday.

On the [renewal date](#) employees are allotted sick leave credits earned through previous year's service for January 1st based on their regular full-time date, in accordance with the sick leave credit schedule. The sick leave bank is only replenished once in a calendar year.

Sick Leave Credits are not available for absences related to medical or personal appointments. Please refer to Alternative Work Arrangements Policy # HR.2-07, Vacation Policy #HR.3-01, and Overtime Policy #HR.2-02 for alternative leave options.

Sick Leave Credits under this policy are not eligible for carry over or pay out upon termination.

Employees are required to cooperate with the return to work program as outlined in the corporate Return to Work Policy #HR.8-06 in order to remain eligible to receive sick leave credits.

Employees on an approved Workplace Safety and Insurance Board (WSIB) absence will have 15% of their hours paid deducted from their sick leave bank while on a WSIB related absence until their sick bank is depleted.

Extended Health, Dental, Life, Health Spending Account, Accidental Death and Dismemberment (AD&D) insurance, Long Term Disability benefits to which an employee is entitled will continue while the employee is on sick leave.

The Employee sick leave plan provides a greater entitlement than the Sick Leave provisions under Employment Standards Act (ESA) legislation and as a result, sick leave usage reduces the number of unpaid days available through the ESA Sick Leave provision.

If an employee is absent due to injury/illness sustained while the employee is working at another employer (other than the Town of Newmarket), the other employer's WSIB insurance and WSIB adjudication process is responsible for sick leave payments, not the Town of Newmarket. The employee must inform their Supervisor/Manager immediately if they are injured while working for another employer.

An absence due to a workplace injury or illness sustained while in the course of duties for the Corporation of the Town of Newmarket is covered under the provisions of corporate policy Workplace Safety Insurance Act Related Absences #HR.11-08.

When an employee is absent due to an illness requiring confinement and/or hospitalization which is certified by a medical practitioner and falls during the Employee's vacation leave, vacation time will be credited back to the Employee, at the Employee's written request.

Medical Documentation

While the Employer reserves the right to request medical documentation at any time for any absence, absences of 3 consecutive work days or more will automatically require medical documentation prior to the Employee's return to work certifying that the Employee was unable to carry out the duties of their position due to illness or injury. Medical documentation must be acceptable to the Employer. The Employer reserves the right to withhold payment of sick leave credits where medical evidence has been requested and not provided.

Employees are responsible to provide medical documentation and/or ensure that a Functional Abilities Form is completed and submitted in a timely manner.

The cost of providing medical documentation shall be the responsibility of the Employee.

Medical documentation will be maintained in the Employee's confidential corporate file located in the Human Resources Department.

Cross-References

Corporate Procedure:

Sick Leave Procedure HR.11-04-001

Corporate Policy:

Alternative Work Arrangements Policy #HR.2-07

Harassment and Discrimination Free Workplace Policy #HR.5-01

Normal Hours of Work Policy #HR.2-06

Overtime Policy #HR.2-02

Employee Performance, Counselling and Progressive Discipline Policy #HR.4-01

Return to Work Policy #HR.8-06

Termination of Employment #HR.4-03

Vacation Policy #HR.3-01

Wellness Policy #HR.8-07

Workplace Safety and Insurance Act Related Absences Policy #HR.11-08

Other Government Legislation:

Employment Standards Act and Regulations

Human Rights Code

Workplace Safety and Insurance Act and Regulations

Other References:

Attendance Support Program
Functional Abilities Form
Sick Leave Guidelines for Managers and Supervisors

Contact

Human Resources Department or at hr@newmarket.ca

Details

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