

**GUIDELINES**  
**FOR THE IMPLEMENTATION AND APPLICATION OF**

Article 28:17 SICK LEAVE

Government Employees' Master Agreement (GEMA)

<b>GEMA, Article 28 – Sick Leave – states, in part</b>
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**28:17 Effective April 1, 2011, time off for medical and dental examinations or treatments, including reasonable travel time, shall be granted to employees and such time off shall be chargeable against the employees accumulated sick leave credits.**

**Whenever possible, appointments are to be made on the employee's day off or at a time when the employee is not on duty. If the above is not possible, the employee will endeavour to make the appointment at a time which is least disruptive to the area.**

**If the employee chooses a doctor or dentist outside of their community, such time off with pay will be granted to a maximum of three (3) hours. Increased time may be considered by the Employer in extenuating circumstances on an individual basis.**

**Should it be necessary for an employee to attend a doctor or dentist outside of their community by reason of non-availability of service in their community, the employee shall be allowed up to one (1) shift off with pay, to the extent that sick leave credits have been accumulated, for the time necessary to attend such appointment to the nearest point of available service. Employees residing north of the 53rd parallel shall be allowed up to two (2) shifts off with pay.**

<b>Other Relevant GEMA Articles, in part:</b>
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**28:12 Where an employee is to be absent because of illness, the employee shall endeavour to notify the employee's immediate supervisor of the absence due to illness at least one hour (1) prior to and not more than thirty (30) minutes after the normal hour of beginning work, or as soon thereafter as the means of communication permit.**

**28:13 An employee who has been absent because of sickness for a period of more than three (3) consecutive working days shall furnish, when requested by Treasury Board and/or the employing authority, at any time during or after this period of sickness, a medical certificate or sworn statutory declaration certifying that the employee is or was unable to be present at work because of the illness. Where an employee fails to produce a medical certificate or statutory declaration acceptable to Treasury Board and/or the employing authority, the employee shall not be entitled to be paid for the period of absence.**

**28:14 An employee who has been absent because of sickness for a period of three (3) working days or less may be required to furnish, when requested by Treasury Board and/or the employing authority, either a medical certificate or a sworn statutory declaration as required under Section :13. Failure to produce a certificate or statutory declaration acceptable to Treasury Board and/or the employing authority will result in a loss of pay for the period of absence.**

## Frequently Asked Questions

**1. Which types of medical and dental appointments are covered under Article 28:17?**

Article 28:17 applies to doctor (duly qualified medical practitioner) and dentist visits. It does not apply to visits with Podiatrists, Chiropractors, Midwives\*; Naturopaths, Nurse Practitioners, Opticians, Optometrists, Physiotherapists, Psychologists.

\*Midwife exception for pregnancy related only

**2. If my doctor prescribes a treatment (e.g. physiotherapy), is it covered under Article 28:17?**

The time for the treatment is not covered unless the actual appointment is with a duly qualified medical practitioner.

**3. If I attend my child's medical or dental appointment, can I use sick leave credits?**

No. Article 28:17 applies only to employee medical or dental appointments.

**4. Will I be paid if I take time to attend a medical or dental appointment?**

Yes, providing that you have accumulated sick leave credits and the time to attend the appointment is in accordance with Article 28:17.

**5. Am I required to notify my supervisor if I will be attending a medical or dental appointment?**

Yes, employees are to provide as much advance notice as possible.

**6. If I am unable to schedule my medical or dental appointment during my day off, can I schedule my appointment during working hours?**

Yes, however an employee must schedule the medical or dental appointment so that the leave is the least disruptive to the workplace. In order to minimize the disruption to the workplace employees should schedule medical appointments at the beginning or the end of the day or schedule appointments so that critical peak periods in the workplace are not affected.

**7. Is travel time considered when attending medical or dental appointments?**

Yes, reasonable travel time is considered when attending medical or dental appointments.

**8. If I have a medical or dental appointment in my community, how much time can I be away from the workplace?**

It is reasonable for employees to take sufficient time from the workplace to attend the medical or dental appointment and return to the workplace.

**9. What happens if I attend a medical appointment and the attending physician requires me to be admitted to hospital during working hours?**

Employees must notify their supervisor of their absence as per Article 28:12. Employees may be required to provide a medical note for the additional leave as per Article 28:13 and Article 28:14.

**10. If my medical or dental appointment is in another community and I only require two hours to attend the appointment (including travel time), am I entitled to the full three hours?**

No, you are only entitled to the two hours, the time required to attend the appointment and return to work.

**11. What happens in a case where I require more than three hours attending a medical or dental appointment outside of my community?**

Increased time may be considered by the Employer in extenuating circumstances on an individual basis. Employees must discuss the situation with their immediate supervisor prior to the appointment.

**12. If there are no medical or dental services provided in my community, and I have to go to another community for service how much time is allowed?**

Employees will be allowed up to one (1) shift off with pay, to the extent that sick leave credits have been accumulated, for the time necessary to attend the appointment to the nearest point of available service. Employees residing north of the 53rd parallel shall be allowed up to two (2) shifts off with pay.

**13. How do I know if I reside north of the 53<sup>rd</sup> parallel?**

Employees who reside in Grand Rapids or Easterville and north of these communities are located north of the 53<sup>rd</sup> parallel.

**14. What happens if I do not have sufficient sick leave credits for the time off to attend a medical or dental appointment?**

Time off may be granted, even if you do not qualify under Article 28:17. Other options may be available (i.e. vacation leave, banked time, leave without pay), however the employee must discuss these options with their immediate supervisor.

**15. Can I use another type of leave (e.g. vacation leave, banked overtime) instead of using sick leave to attend a medical or dental appointment?**

If your circumstances meet the requirements under Article 28:17, time off is charged against accumulated sick leave credits. If you do not qualify under Article 28:17, other options may be available (refer to question #14).

**16. If I attend a medical or dental appointment while on another type of leave (e.g. vacation leave or maternity leave), am I eligible to use sick leave for the appointment?**

No, your circumstances must meet the provisions outlined in Article 28:17. It is expected that whenever possible, appointments are to be made on the employee's day off or at a time when the employee is not on duty.