

**2013-03**

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By E-mail: Two Pages

## Bargaining Update: Frequently Asked Questions

Arising from the current round of collective bargaining with representatives of the sector's support staff unions, we have received a number of questions from school districts regarding the employers' proposal on sick leave.

Following are responses to the questions received, for your reference. The responses to these questions apply to the majority of districts in the majority of collective agreements. However, there may be some district-specific circumstances that will need to be canvassed with the employers' association.

### 1. How does the employers' sick leave proposal impact employees?

As at October 31, 2013, **new employees** would be covered by a new provision:

- Each employee would have six (6) sick days available annually, non-cumulative, at 85% of regular pay
- Any additional sick leave required would be provided at 66 2/3% of regular pay to the lesser of 120 calendar days or acceptance onto long-term disability (LTD)
- There would be no accumulation of sick leave banks and, where applicable, there would be no sick leave or retirement payouts for new employees

**Employees with less than seven (7) years of service** as of October 31, 2013 would have a hybrid provision. This provision would be the same as that for new employees with the following exceptions:

- These employees would be entitled to maintain their sick leave bank, where applicable; however, no further accumulation would occur after October 31, 2013 — the bank would be frozen
- There would be no further accumulation of sick leave, as the provisions for new employees would apply
- Each employee would have six (6) sick days available annually, non-cumulative, at 100% of regular pay
- These employees would be entitled to use any available bank to top-up sick leave for the days paid at 66 2/3% prior to acceptance onto LTD
- Any remaining days in the bank could be utilized for any retirement payouts as stipulated in the local collective agreement for the particular employee.

**Employees with seven (7) or more years of service** as of October 31, 2013 would see no change. Sick leave provisions for this group of employees will be grandparented in their entirety including annual entitlement, accumulation and payouts.

**2. Will new employees who would not otherwise have accumulated banked sick days now be entitled to paid sick leave?**

Yes, however, the parties have agreed in principal that the Joint Early Intervention System (JEIS) program will be a mandatory condition of being eligible to retain sick leave benefits. This will ensure that every employee is participating in getting back to work in the safest and efficient manner.

**3. Who pays for the 66 2/3% sick leave for the days prior to LTD?**

The districts will pay for this just as the cost of payments drawn from banked sick days at 100% is a district cost now.

**4. Why are there three levels in the proposed sick leave plan?**

The three-level structure was proposed to minimize impact to existing employees. It recognizes that the new plan will be most appealing to more junior members (less than seven years) who have had less time to accumulate sick days in their bank and who will be less likely to be able to make the transition to LTD without wage loss; it also allows more senior members (over seven years) to maintain their existing plan as they would be more likely to have a fully populated sick bank. The new employees hired after ratification would be part of the new plan and therefore be subject to more of the cost reduction impacts; however, they would also have had no expectation of the old plan at the time they were hired.

**5. To which new employees does the new sick leave provision apply?**

Eligibility requirements would be the same as they were under the old sick leave plan; i.e., if employees in your collective agreement had to be regular employees to be eligible for sick leave, that would continue under the new plan.

**6. Do existing employees who had sick leave payout or retirement payout language still get a payout?**

Yes. For employees with less than seven years service, although their bank is frozen, if they have sick leave in their bank at retirement, they may access the payout provision in accordance with the language in their collective agreement.

For employees with seven or more years of experience, there is no change to their payout provisions. These will continue as if the proposed language is not incorporated into the agreement.

**7. Can employees with less than seven years of experience use their sick leave bank to top-up sick leave under the proposed provision?**

Yes, provided that the employee has sick leave available in their sick bank. It should be noted that as of October 31, 2013 there would be no more accumulation of the sick bank.

This provision would not apply to employees with seven or more years of service as there is no change to the language as it applies to them.

## Questions

If you have any questions, please contact your [BCPSEA district liaison](#).