

***Distribution of this Bulletin***

*Please ensure this bulletin is circulated to all administrative staff in both the district office and schools who must rely on the collective agreement in the performance of their duties.*

## **UPDATE: Leave When Directed by Public Health to Self-Isolate**

This bulletin provides additional clarification to BCPSEA [@issue 2021-02](#), dated February 1, 2021 *Leave When Directed by Public Health to Self-Isolate*.

❖ **What does “where an employee is directed by a public health official to self-isolate” mean?**

An asymptomatic employee is not entitled to the general paid leave unless they have been directed by a public health official in writing to self-isolate. This means an employee has been contacted by a public health official and directed to self-isolate. For asymptomatic employees, this most commonly occurs as a result of contact tracing and direction to self-isolate is provided by the health authority in writing. An employee calling 811, or hearing of an exposure and choosing to self-isolate is not sufficient.

If an asymptomatic employee is directed to self-isolate as a part of a school closure or cohort being sent to self-isolate, this advice would apply.

❖ **What if an employee’s child or other family member or person residing with the employee needs to self-isolate?**

This leave applies only where the employee themselves has been directed to self-isolate. Districts should follow their regular processes which may include a family status accommodation or granting unpaid COVID-19 leave under the *Employment Standards Act*.

❖ **What if an employee develops symptoms part-way through the self-isolation period?**

An employee who develops symptoms part-way through their self-isolation period should notify the district. The district would then place the employee on sick leave during their convalescence.

❖ **Can we request written documentation for the direction to self-isolate?**

Districts may request reasonable documentation to support the leave request. Districts may choose to have the employee document the request through appropriate means such as a

leave request form and/or the return of a self-declaration email sent to the employee from the district. A template self-declaration email will be provided to districts by BCPSEA.

In unusual circumstances, if the district believes the self-declaration is insufficient, additional documentation may be deemed necessary. If this situation arises, districts may request the employee provide a copy of the written direction to self-isolate which they have received from a public health official.

❖ **What if an employee refuses an appropriate remote work or re-deployment offer?**

The provision of this general leave is gratuitous to the collective agreement/employment contract and anticipates employee's reasonable cooperation with the process. Should the employee be unwilling to participate in the process, districts may return to applying the collective agreement/employment contract for that employee.

❖ **Is this leave being provided on a without prejudice basis?**

Yes, this general paid leave is being granted on a without prejudice basis as gratuitous to the collective agreement. The provision of this general paid leave is subject to review and change in the future.

**This advice will be periodically reviewed and is subject to change.**

## Questions

Should you require assistance or wish to discuss this issue further, please contact your [BCPSEA liaison](#).

*This bulletin contains labour relations advice which is provided to members without prejudice to any position BCPSEA may take in any arbitral proceeding or other forum.*