



Arbitrator rules CSS workers can access sick leave for additional hours of work lost to illness

Retroactive claims must be filed no later than May 1, 2012

Arbitrator Vince Ready has ruled that community social service workers are able to access sick leave for additional hours of work lost to illness.

Three conditions must be met for a regular employee to access their sick leave:

- There must be an offer and acceptance of additional hours of work;
- The regular employee must have a bona fide illness;
- The regular employee must have enough sick leave credits.

This policy decision – now in effect – applies to all regular employees in the community social services sector moving forward. Casual or on-call employees are not eligible.

For workers who have retroactive claims, but have not filed a grievance, these claims can be considered on the following conditions:

- Any member may make a claim to access their sick bank for a retroactive claim if they meet the three requirements listed above;
- The retroactive claim can only go back to the date the policy grievance was filed, i.e. March 14, 2008. Claims made prior to this date cannot be considered;
- Members must bring the retroactive claim forward no later than May 1, 2012. Please notify your employer or shop steward as soon as possible if you have a claim for the period of March 14, 2008 to the present.

If any employer refuses to acknowledge Arbitrator Ready's decision allowing access to sick banks for this period, please file a grievance with the union.

Arbitrator Ready's decision follows a policy grievance filed by the Community Social Services' Bargaining Association which argued that where a regular employee accepts additional hours to their regular shifts, and cannot work the hours due to bona fide illness, they should be able to access their sick bank hours for those lost hours.

March 8, 2012



