

Backgrounder

SICK LEAVE

Teachers have had access to 20 sick days per year since the 1930's. Similarly, the earliest cumulative sick leave plan appeared in the late 1930's. By 1971, all Boards had an accumulated sick leave plan with the standard accumulated days being 200.

Documented arguments used initially to establish accumulated sick leave included:

- *Illnesses spread quickly in schools when teachers came into schools ill when they should have been home*
- *A teacher who was frequently absent for brief periods from a chronic type of illness was covered by 20 days of sick leave, whereas a teacher who had never missed a day for 30 years could have a serious illness of six months and have no coverage after the first 20 days*

These arguments still hold true for teachers and education workers today.

So important was the issue of sick leave that the Ontario Legislature itself dealt with it. Prior to being repealed by Bill 160 in 1998, section 260(3) of the Education Act provided for twenty sick days per year for teachers. This legislation remained in effect through good and bad economic times and survived the governments formed by all three major political parties in Ontario.

Accumulated sick leave plans have been the subject of negotiations for over 80 years and, like other collective agreement entitlements, were achieved through the give and take of collective bargaining. Generations of teachers and education workers fought to achieve and maintain the sick leave provisions that we're familiar with today.

The elimination of sick leave banks would lead to a great inequity in that those who used sick leave along the way were paid in full for their entitlements, while those who were able to avoid utilizing sick days would never receive the benefit of the days afforded to them over the years.

Reducing the number of available paid sick days would encourage, or even necessitate employees attending work while sick. Since teachers and education workers are in the "people business", this is extremely counter-productive.

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In the event that fully paid sick leave is not available and members are forced to rely on a reduced wage short term disability plan, these members would suffer adverse pension implications.

While government officials have compared their proposed plan for sick leave to the Ontario Public Service, they have actually offered an inferior plan and have failed to mention other elements of the OPS agreement:

- a higher rate short term disability (STD) plan;
- the ability to top up STD to 100%;
- retirement benefits and
- a retirement allowance based on service only. Collective agreements must be viewed in their entirety in order to put their provisions into context.

The government's proposal would make Ontario's education sector sick leave plan inferior to plans in every other province.

Finally, the government does not recognize that teachers and education workers, through their daily exposure and contact with students, can potentially fall ill more frequently.