



Hamilton

Human Resources

MEMO – to All Employees

January 23, 2020

REMINDER

New Income Protection Plan (IPP) Language – Effective January 1, 2020

Changes apply to Non-Union, CUPE 5167, ONA PHS, ONA Lodges and IUOE (Lodges) and ATU 107 (ATU - effective March 22, 2020)

Changes:

- **4th Day** - doctor's note due upon return to work (must be seen by a doctor on or before the 4th day)
- **8th Day** - STD form (must be seen by a doctor and have the claim form completed on or before the 8th day)
- **13th Day** - claim form due. If a claim form is not received by Return to Work by the 13th, no STD benefits will be paid from Day 1 and ongoing.
- If there is no doctor's note or no claim form within the above deadlines, any STD pay will be treated as an overpayment and payroll will be notified and will recover the funds.
- If a claim form is submitted after the 13th day and is acceptable, STD benefits will be paid from the date the form was received by RTW Services.

IPP Questions & Answers:

1. Where do I find a copy the IPP language in the collective agreement?

A: You can find a copy of your collective agreement language on HOWI, however some collective agreements have not yet been updated due to approvals necessary as part of the bargaining process.

As collective agreements are updated they will appear on HOWI.

2. What do I need to do if I am sick?

A: You need to contact your immediate supervisor, or equivalent designate, prior to the start of your shift and advise them of your reason for absence and expected date of return. You are expected to maintain daily contact with your supervisor and to advise of the status of your expected date of return. If your illness/non-occupational injury extends to the fourth working day you are required to obtain a doctor's note.

3. Can my immediate supervisor call me at home when I am sick?

A: Yes, the expectation of leaders in the organization is to maintain regular contact with their employees, confirm the reasons for their absences and find out when the employee is expected to return to work. The best way to do this is often through a phone call where you speak directly to the employee.

4. When am I required to get a doctor's note?

A: You are required to get a doctor's note if your illness/non-occupational injury extends to the fourth working day. On or before the fourth working day you must visit the doctor to get a note. To be clear, the doctor's note must be dated on or before the fourth working day of your absence.

5. What needs to be included on the note and who pays for the note if there is a cost?

A: The note shall validate that the employee was absent from work due to medical reasons and identify an anticipated return to work date. The cost of such note shall be the responsibility of the Employee.

6. Where do I send the doctor's note and when is it due?

A: rtws@hamilton.ca – take a picture or scan and email. Please save the original doctor's note for your records.

7. What if I can't see my doctor by the 4th day?

A: You can access your doctor's after-hours clinic/call-in service or you can go to a walk-in clinic. Further, you can go to an Urgent Care Centre that has indicated it will not affect your agreement with your family doctor.

8. What happens if I don't submit a doctor's note?

A: If you do not submit a doctor's note, the STD benefits paid from day 1 until your return to work, (Day 1 – 7), will be treated as an overpayment and payroll will be notified and recover the funds. It is possible you could also be subject to discipline as the doctor's note is a requirement in the collective agreement.

9. What if my doctor says they will fax the sick claim form later?

A: If you are not sure that your claim form has been submitted to RTW Services please call them directly to confirm that they have received it. If they inform you they have not, it is your responsibility to follow up with your doctor's office.

Income Protection Plan - Summary of Changes

This language summary is provided as an interim measure until the NEW collective agreements are updated and approved by each bargaining team. This language will also apply to non-union employees.

An Employee shall, on the first day of illness/non-occupational injury, report or cause to report such illness/non-occupational injury to their manager or supervisor; and

- a) An Employee who fails to report on the first day that he/she is absent from work due to illness/non-occupational injury shall be considered as being absent without leave non-paid and is subject to appropriate disciplinary action up to and including termination.
- b) Upon receiving notice of an Employee's illness/non-occupational injury, the Department Head or Supervisor shall, on the same day, report such illness/non-occupational injury on the Daily Absence Status Report as provided by Human Resources.
- c) An Employee whose illness/non-occupational injury extends to the fourth (4th) working day shall, on or before the fourth (4th) working day, obtain a doctor's note from a qualified medical practitioner. Such note shall be submitted to Return to Work Services upon their return to work in order to be eligible for Short Term Disability Benefits. The cost of such note shall be the responsibility of the Employee. Failure to provide such note will result in non-payment of the days for which the Employee was absent. The note shall identify an anticipated return to work date.

An Employee, whose illness is of the nature that it is reasonable to expect that this absence will exceed eight (8) working days, will not be required to provide a doctor's note but instead be required to provide a claim form in accordance with d) below.

- d) An Employee whose illness/non-occupational injury extends to the eighth (8th) working day shall, on or before the eighth (8th) working day, file a full completed Claim Form with Return to Work Services, subject to the following:
 - i. The cost for completion of the initial form shall be the responsibility of the Employee. Provided the initial form was fully completed, costs associated with subsequent requests for additional medical forms or reports/information beyond the Short Term Disability claim form shall be at the expense of the Employer. Where the original form identifies a specific return to work date additional forms will not be required during that period unless there is a change in the expected return date, and
 - ii. Claim Forms must be submitted within five (5) days of the requirement set out in (d) above, and
 - iii. The Employee will not receive Short Term Disability benefits past the thirteenth (13th) day if the Employer is not in receipt of a Claim Form substantiating their absence. Benefits will resume once the Employer is in receipt of a Claim Form that substantiates the Employee's absence, and
 - iv. If the above deadlines are not met, any benefits paid to an Employee will be recovered from the first day of absence until the date in which the Claim Form is received and accepted by the Employer.

- e) Where the manager or supervisor has reason to believe that absence of the Employee was not due to illness/non-occupational injury, the manager or supervisor may demand a doctor's note for one day of absence, such request must be made in consultation with Labour Relations.
- f) An Employee whose illness/non-occupational injury extends beyond fifteen (15) consecutive working days and a return to work date was not identified on the original form, shall, on the fifteenth (15th) day and for every subsequent fifteen (15) working days, file a claim form with Return to Work Services.
- g) An Employee failing to file a claim form pursuant to the Regulations above shall be considered as being absent without leave non-paid and is subject to appropriate disciplinary action up to and including termination.
- h) For absences of 10 or more working days the Employee must provide a medical certificate stating the Employee is fit to return to work.