

Paid Medical leave Information.

This job aid will cover the basics of what paid medical leave is able to be used for (**also called paid sick days**), how it is earned and carried over annually, and how to submit a paid medical leave day at CPKC.

How do I qualify for paid medical leave?

Employees earn medical leave with pay after they complete an initial 30-day qualifying period of continuous employment with their employer. Employees earn their first 3 days of medical leave with pay after completing their initial 30-day qualifying period. (Simply put if you are an employee of CPKC for 30 days, you earn 3 paid medical leave days)

****you may not be working (IE sick, injured, other leave, etc.) yet still be considered in continuous employment****

How do I earn additional paid medical leave days?

After the initial 30-day qualifying period in which the employee earns 3 days of medical leave with pay, the employee must then complete 1 month of continuous employment before earning additional days. For the purposes of this calculation, 1 month of continuous employment is 1 complete calendar month. At the beginning of each month after completing the month of continuous employment with the employer, the employee will earn 1 additional day of medical leave with pay up to a maximum of 10 days per year.

Example of how paid medical leave is earned:

First day of employment: February 1, 2023

Danuta starts a new job on February 1, 2023. The new medical leave with pay provisions apply to her from her first day of employment. Danuta completes her 30-day qualifying period on March 2, 2023. She earns her first 3 days of medical leave with pay on March 3, 2023.

Next, Danuta must complete 1 month of continuous employment after the initial 30-day period. This month of continuous employment is the calendar month following the 30-day period. It starts on April 1, 2023 and ends on April 30, 2023. After completing this month of continuous employment, Danuta earns 1 day of medical leave with pay at the beginning of each month. On May 1, 2023, she earns her 4th day of medical leave with pay.

Danuta continues to earn 1 day of medical leave with pay at the beginning of each month until she earns her 10th day on November 1, 2023. After that, she will not earn any more in the 2023 calendar year.

What can I use a paid medical leave day for?

Any employee may take medical leave with pay for any of the following reasons:

- personal illness or injury of the employee
- organ or tissue donation from the employee
- medical appointments for the employee during working hours
- quarantine of the employee

Employees are entitled to take medical leave with pay when their employer:

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- schedules them to work, or
- reasonably expects them to be available for assigned work

An employee is not permitted to take medical leave with pay on a day their employer does not schedule or expect them to be available for work.

When can I take medical leave?

An employee is entitled to take medical leave with pay when the reason meets the requirements of the Code. Some employees may have multiple leave entitlements available to them. In this case, only the employee may decide to categorize the leave as paid medical leave. **Employers do not have the authority to decide when their employees take medical leave with pay.**

How is paid medical leave that I have previously earned carried into the next year?

Each day of medical leave of absence with pay that an employee does not take in a calendar year is to be carried forward to January 1 of the following calendar year and decreases, by one, the maximum number of days that can be earned in that calendar year is 10. IE if you have 5 unused days December 31st, on Jan 1st you carry over 5, minus 1 and earn 1 for Jan 1st and are with 5. You will only earn another 5 days for this calendar year.

How is medical leave paid for CPKC employees who do not have specific language covered in the collective agreement?

The calculation method for medical leave with pay is as follows:

- employee not covered by collective agreement or covered by a collective agreement that does not contain an agreed upon calculation method:
 - average of the employee's daily earnings, exclusive of overtime hours, for the 20 days the employee has worked immediately preceding the first day of the period of paid leave

CPKC is not paying me as per the regulations, now what do I do?

Currently CPKC is paying 100 miles to road employees at the rate of service they are working in. This is often far below what a 20-working day average is. You have an option of submitting an IP claim for the difference of what you were paid and what the 20-day averaging is, and if declined having the local chairman in your craft file a grievance on your behalf. The other option is to file a monetary complaint with ESDC.

***refer to monetary complaint job aid ***

Paid Medical Leave Job Aid

```
NON-WORKING MISCELLANEOUS CLAIM PSTS570  
23/07/24 09:44  
EMPLOYEE NUMBER:  
CLAIM CODE : SL CLAIM DESC:  
START DATE/TIME: 230722 - 0001  
COPY CLAIM END DATE/TIME: 230722 - 2359  
=====
```

1. Enter sick day info

```
=====
```

CURRENT ASSIGNMENT:	JOB TYPE :	JOB DESC:
	DISTRICT :	SUB-DISTRICT: MJ
	ASGN TYPE :	(A=YARD/LOCAL P=POOL S=SPARE)
	ASSIGNMENT:	

COPY CLAIM REQUESTED AMOUNT: (\$\$\$\$C)
THE EMPLOYEE WHO REPLACED YOU IS:

YOUR CLAIM IS - AMOUNT: TYPE: (\$ = MONEY M = MILES T = TIME)
<<< REMARKS >>>

ENTER=INQUIRE PF1=HELP PF3=EXIT PF5=UPDATE PF10=LIST CLAIM CODES

```
NON-WORKING MISCELLANEOUS CLAIM PSTS570  
23/07/24 09:44  
EMPLOYEE NUMBER:  
CLAIM CODE : SL CLAIM DESC: SICK LEAVE FOR CANADIANS  
START DATE/TIME: 230722 - 0001  
COPY CLAIM END DATE/TIME: 230722 - 2359  
=====
```

2. Press enter

```
=====
```

CURRENT ASSIGNMENT:	JOB TYPE :	JOB DESC: THROUGH FREIGHT
	DISTRICT :	SUB-DISTRICT: MJ
	ASGN TYPE :	P (A=YARD/LOCAL P=POOL S=SPARE)
	ASSIGNMENT:	SPSP14EN

COPY CLAIM REQUESTED AMOUNT: (\$\$\$\$C)
THE EMPLOYEE WHO REPLACED YOU IS:

YOUR CLAIM IS - AMOUNT: 100 TYPE: M (\$ = MONEY M = MILES T = TIME)
<<< REMARKS >>>

ENTER=INQUIRE PF1=HELP PF3=EXIT PF5=UPDATE PF10=LIST CLAIM CODES
REMARKS ARE REQUIRED; PRESS F4=MORE INFO TO ADD REMARKS R085-1

```
NON-WORKING MISCELLANEOUS CLAIM PSTS570  
23/07/24 09:44  
EMPLOYEE NUMBER:  
CLAIM CODE : SL CLAIM DESC: SICK LEAVE FOR CANADIANS  
START DATE/TIME: 230722 - 0001  
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CURRENT ASSIGNMENT:	JOB TYPE :	JOB DESC: THROUGH FREIGHT
	DISTRICT :	SUB-DISTRICT: MJ
	ASGN TYPE :	P (A=YARD/LOCAL P=POOL S=SPARE)
	ASSIGNMENT:	SPSP14EN

COPY CLAIM REQUESTED AMOUNT: (\$\$\$\$C)
THE EMPLOYEE WHO REPLACED YOU IS:

YOUR CLAIM IS - AMOUNT: 100 TYPE: M (\$ = MONEY M = MILES T = TIME)
<<< REMARKS >>>

Claiming one day of paid medical leave as per CLC

3. Enter in remarks and press PF5

ENTER=INQUIRE PF1=HELP PF3=EXIT PF5=UPDATE PF10=LIST CLAIM CODES
REMARKS ARE REQUIRED; PRESS F4=MORE INFO TO ADD REMARKS R085-1