

Sick Leave

Employers may not have a policy of always demanding a doctor's note

It is unreasonable for employers to demand a note from the doctor for every employee absence because of illness. Labour law precedent is clear that is unreasonable and all Human Resource departments should be well aware of this.

Employers are allowed to require a doctor's note for any sick leave absence under the terms of Article 19.04 in the Provincial Collective Agreement. However, arbitrators have ruled that blanket requirements for doctor's notes are unreasonable. The employer must decide whether a note is necessary on a case-by-case basis.

"Attendance management" programs that require doctor's notes for every absence are effectively intimidation campaigns to prevent employees from reasonably using their sick leave benefits. If an employer is demanding a doctor's note for all sick leave absences and there appears to be a blanket policy in place, please contact your Local executive or Labour Relations Officer. It may be necessary to file a grievance.

Employers must pay all fees for doctor's notes

Some doctors charge administrative fees for providing a note for sick leave.

If an Employer requires a nurse to provide proof of illness such as a doctor's note, or any other reports, the Employer must reimburse the nurse for the costs. (*Article 19.04*)

Protect your privacy

If you are off sick with an illness the doctor's note only needs to confirm that you are unable to work and indicate how long you will have to be off. You are NOT obliged to give information about the diagnosis or treatment. Under some circumstances, such as extended absences or returning to work with limitations, you or your doctor may need to supply additional information. You can contact UNA or your Labour Relations Officer if you are asked to provide more medical information.

— *Article 19.04 UNA Provincial Collective Agreement*

SPOTLIGHT on your UNA contract

May 2007

KLd • CEP • Spotlight-drsnote • 05-07



Questions?

Contact your United Nurses of Alberta Representative:

• Provincial Office: (780) 425-1025 or 1 800 252-9394 • Southern Alberta Regional Office: (403) 237-2377 or 1 800 661-1802 • www.una.ab.ca •

