**SAMPLE LANGUAGE**

Article XX.X

**Personal Emergency Leave Days**

X.1 All seniority employees shall be entitled to ten (10) personal emergency leave days payable at one hundred percent (100%) of an employee’s regular wages under this agreement in each calendar year.

X.2 Eligible employees will be entitled to an additional fourteen (14) paid personal emergency leave days during a public health emergency, as declared by municipal, provincial or federal health authorities.

X.3 Personal emergency leave shall constitute any absence from work due to:

(a) Personal illness, injury or medical emergency,

(b) Illness, injury, medical emergency or urgent matter relating to the following family members:

* Spouse (including both married and unmarried couples, of the same sex or the opposite sex);
* Parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse;
* The spouse of the employee's child;
* A brother or sister of the employee;
* A relative of the employee who is dependent on the employee for care or assistance.

X.4 All illnesses, injuries and medical emergencies of the employee or of a specified family member, as listed above, will qualify an employee for personal emergency leave.

X.5 Eligible employees are entitled to take personal emergency leave for pre-planned (elective) surgery. Although such surgery is scheduled ahead of time (and therefore not a medical "emergency"), surgeries performed because of an illness or injury will entitle an employee to personal emergency leave. Employees are not entitled to personal emergency leave for medically unnecessary cosmetic surgery unrelated to an illness or injury.

X.6 Eligible employees may elect to take personal emergency leave because of illness, injury or medical emergency of, or an urgent matter concerning, a specified family member, as listed above. An urgent matter is an event that is unplanned or out of the employee's control, and raises the possibility of serious negative consequences, including emotional harm, if not responded to.

X.7 Eligible employees are entitled to 10 days of personal emergency leave
every calendar year, whether they are employed on a full time or part time basis. For clarity, a scheduled work shift, as outlined under the terms of this agreement, shall constitute one day of personal emergency leave.

X.8 There is no pro-rating of the 10-day entitlement. An employee who begins work part way through a calendar year is still entitled to 10 emergency days during the remainder of that year.

X.9 Employees cannot carry over unused personal emergency leave days to the next calendar year. The 10 days of personal emergency leave do not have to be taken consecutively.

X.10 Eligible employees who have taken a personal emergency leave that is in excess of ten (10) days during a period when there is no declared public health emergency will be transitioned onto short-term disability benefits, as referenced in Section **X.X** and under Schedule **X**.

X.11 An eligible employee who elects to use a personal emergency leave day must inform their immediate supervisor before starting the leave that he or she will be taking a personal emergency leave of absence. If an employee has to begin a personal emergency leave before notifying the employer, the employee must inform the employer as soon as possible after starting it. Notice does not have to be given in writing. Oral notice is sufficient.

X.12 If the circumstances are such that it is reasonable for the employer to require the employee to provide a doctor's note, the employer can ask only for the following information:

* + The duration or expected duration of the absence,
	+ The date the employee was seen by a health care professional,
	+ Whether the patient was examined in person by the health care professional issuing the certificate.

X.13 The employer will not require an employee to provide information about the diagnosis or treatment of the medical condition.

X.14 Any doctor’s note or medical certificate required by the employer as evidence will be paid for by the employer.

X.15 The employer is not allowed to require a medical note in respect of the relative, nor can the employee be required to give details of the medical condition of the relative. The employer may only require the employee to disclose the name of the relative and his or her relationship to the employee, and to state that the absence was required because of the relative's injury, illness or medical emergency.