

CUPE 4094

Your Local Union At Work



**Local 4094 - Vancouver (YVR)
Airline Division of CUPE**

*Division de Transport Aérien
Canadian Union of Public Employees
Syndicat Canadien de la Fonction Publique*

Medical Substantiation Requests

In 2012, the Union filed a policy grievance challenging the Company's Sick and Medical Substantiation ← policy. Following the August 16, 2012 Monthly Review with Chief Arbitrator Kaplan, the Company agreed to remove policy requirements that the Union alleged were unreasonable and violated the Collective Agreement.

Some things to remember:

- The sick leave plan covers illness and injury, and that includes treatments for existing medical conditions.*
- You should make best efforts to provide your original sick note, if requested, within ten days of your book on. However, if you are on vacation or days off during this period, you simply need to provide the note upon your return to work at the airport.*
- If you are asked to provide a sick note when you are absent, but you have legitimate reasons for not seeing a doctor and not getting a doctors note during the period of your book-off, you may still be eligible for sick leave credits if you get a medical note afterwards.*
- The Company may ask for medical substantiation when there are reasonable and probable grounds to query the absence. However, it is not appropriate for the Employer to adopt a blanket policy. The proper exercise of discretion requires an assessment on a case by cases basis based on the particular circumstances of the individual employee concerned and the reasons must be clearly articulated. Examples that may trigger such a request include excessive absenteeism, particular attendance patterns, or a book off after a leave request is denied.*
- The Company has been ordered to cease and desist making blanket requests for substantiation. If you have any questions or concerns about medical substantiation, or you feel that a particular request for substantiation is unreasonable, please contact your Local Union Office.*

Know your Rights

In the validation of sick leave there are two goals which must be achieve:

- 1. That only valid claims are made and that the privacy of employees is respected*
- 2. And that unnecessary allegations against the integrity of the employee must be avoided.*

When in doubt, contact your Local.

Email officers@local4094.ca

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