Human Resources Legislative Update

Education Act Regulation "Sick Leave Credits and Sick Leave Credit Gratuities" Amended

Date: January 23, 2013

On January 21, 2013, the Ontario government filed O. Reg. 11/13, amending O. Reg. 1/13 (Sick Leave Credits and Sick Leave Credit Gratuities) made under the Education Act.

Among other things, O. Reg. 11/13:

- increases to 11 (from 10) the number of sick leave days per year for which an applicable permanent employee is eligible;
- prescribes circumstances under which employees represented by the Canadian Union of Public Employees ("CUPE") are eligible for sick leave credits in addition to those provided under subsection 1(2) of O. Reg. 1/13, and the formula for determining those credits;
- prescribes circumstances under which other employees may be eligible for sick leave credits in addition to those provided under subsection 1(2) of O. Reg. 1/13;
- adds a bargaining unit represented by CUPE to subsection 3(2) of O. Reg. 1/13, regarding use of sick leave credits;
- prescribes terms of use of unused sick leave credits by employees, other than teachers, who work less than a full day in the course of a graduated return to work;
- revokes subsection 4(4) of O. Reg. 1/13 and prescribes a formula for determining the amount for a gratuity wind-up for specified employees; and
- adds Waterloo Catholic District School Board to subsection 4(5) of O. Reg. 1/13 (applicable to certain employees).

The Regulation is deemed to have come into force on September 1, 2012.