

THE CORPORATION OF THE TOWN OF PELHAM

BY-LAW NO. 21

BEING A BY-LAW TO PROVIDE A PLAN OF SICK LEAVE CREDIT GRATUITIES FOR EMPLOYEES OF THE TOWN OF PELHAM.

WHEREAS It is provided by the Municipal Act, R.S.O. 1960, chapter 249, Section 377 (60) as amended by 1967, chapter 55, section 15 that the councils of all municipalities may pass by-laws for establishing a plan of sick leave credits gratuities for employees or any class thereof, and for the transfer of credits from one municipality to another.

AND WHEREAS It is desirable to establish such a plan for the employees of the Town of Pelham.

BE IT THEREFORE enacted by the Council of the Town of Pelham, and it is HEREBY ENACTED AS FOLLOWS:

1. (a) "Employee" for the purpose of this by-law shall mean any salaried officer, clerk, workman, servant or other person in the employ of the municipality but does not include any person who is employed on a temporary or part time basis.  
  
(b) "Sick leave credit" means that an employee shall, although absent from work due to illness or non-occupational accident, be entitled to a days pay.
2. (1) Commencing the first day of January 1970 each employee shall be entitled to one and one half days of sick leave credit for each calendar month of service. An employee must be at work for at least 12 days of the calendar month to receive such credit.  
  
(2) All sick leave credits accumulated up to the 31st day of December, 1969 shall be carried forward to the credit of each employee. The minumum number of sick leave credits shall be 30 days.  
  
(3) All employees who did not receive sick leave credits prior to January 1, 1970 shall receive 30 days of sick leave credit.  
  
(4) The maximum number of days of sick leave credit that can be accumulated shall be ~~180~~ <sup>200 250</sup> calendar days.
3. (1) For each days absence from employment by reason of sickness or non-occupational accident the credit established by such employee shall be reduced by one day; absence for less than one half of a day shall not reduce such employees credit; absence for one half a day shall reduce such employees credit by one half a day.
4. (1) When an employee is absent from work by reason of illness or non-occupational accident the Town shall continue to pay him his regular salary until he has been absent for a period equal to his total sick leave credits.



(2) An employee who is absent from employment by reason of an accident or an injury suffered while on duty, and for which the employee shall receive from The Workmen's Compensation Board of Ontario shall not reduce the employees sick leave credits.

(3) The Town shall pay to the employee receiving benefits from the Workmen's Compensation Board of Ontario the difference between the daily rate paid by the Board and the employees salary until such time as the employee returns to work with the Town or reaches normal retirement age, whichever is the earlier.

(4) Absence from employment by reason of an accident or an injury while gainfully employed outside his employment with the Town shall not entitle the employee to use his sick leave credits.


5. An employee absent with leave, but without pay or temporarily laid off on account of lack of work, shall not receive credit for such periods for sick leave benefits nor shall such absence reduce the accumulated sick leave credits of the employee.
6. An employee who commences employment with the Town after the first day of January 1970 shall not be entitled to sick leave benefits until he has completed three consecutive months of service, but upon the completion of the three months of service, he shall be entitled to the sick leave credit from the date of his employment.
7. Absence on a statutory or special holiday shall not be charged against the employees accumulated sick leave gratuities.
8. An employee absent from employment by reason of pregnancy shall not be covered by this sick leave plan.
9. (1) Employees shall report their illness to their Department Head within one hour after the day's starting time.  
  
(2) Any employee whose illness extends to the fourth working day, shall on the fourth day file a doctor's certificate with the Head of his Department, who shall submit the certificate to the Clerk-Treasurer.  
  
(3) If the illness continues, a further medical certificate shall be filed with the Head of the Department by the employee when twenty-eight days have elapsed since the commencement of the illness, or the date of the last medical certificate.  
  
(4) The Town retains the right at any time to require an employee to file with the Corporation a medical certificate from a duly qualified medical practitioner designated by the Town.
10. The Head of each Department, or in his absence his designate, shall be responsible for notifying the Clerk-Treasurer immediately by inter office memo of any staff absenteeism giving the first day off and the date of return to work.
11. All necessary sick leave records will:
  - (a) be maintained in the Clerk-Treasurer's Department.

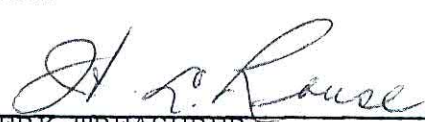


(b) The Clerk-Treasurer shall provide each employee with a statement indicating the accumulated sick leave standing to his credit as at December 31st of each year. Such statement to be delivered or mailed to the employee no later than February 28th of the subsequent year.

12. (1) Provided that the employee has five years of service with the Town and in the event that the employment is terminated by death, the Town shall pay to the employee's estate an amount equal to his salary for one quarter of the number of days standing to his credit, but in no event shall the amount exceed the sum the employee would have earned in twenty-two and one half days at the rate received by him immediately prior to his death.
- (2) Provided that the employee has ten years of service with the Town and in the event that the employment is terminated by death, the Town shall pay to the employee's estate an amount equal to his salary for one half of the number of days standing to his credit, but in no event shall the amount exceed the sum the employee would have earned in ninety days at the rate received by him immediately prior to his death.
13. (1) An employee who has, at least, five years of service with the Town, who leaves the employment of the Town shall be entitled to receive his salary or wages for one quarter of the total number of sick leave credits, but not to exceed the amount he would have earned in twenty-two and one half days at the rate received by him immediately prior to the termination of his employment.
- (2) An employee who has, at least, ten years of service with the Town, who leaves the employment of the Town shall be entitled to receive his salary or wages for one half of the total number of sick leave credits, but not to exceed the amount he would have earned in ninety days at the rate received by him immediately prior to the termination of his employment.
14. The Clerk-Treasurer under the direction of the Personnel Committee shall be responsible for the administration of this by-law and any matters in connection therewith may be referred to the Personnel Committee by the Head of any Department.
15. Any employee discharged for cause shall lose or forfeit all benefits under this plan.
16. This by-law shall come into force on the reading thereof.

READ A FIRST AND SECOND TIME THIS 2nd DAY OF MARCH, 1970,  
READ A THIRD TIME AND FINALLY PASSED THIS 2nd DAY OF MARCH, 1970.

 J. P. Ellsop  
MAYOR

 H. L. Rouse  
CLERK-TREASURER