

How to Accommodate Faculty Medical Leave

As noted in the University's Strategic Plan, UVic is committed to "recruit and retain a diverse group of exceptionally talented students, faculty, and staff and support them in ways that allow them to achieve their highest potential." The university is also committed to the principles and spirit of employment equity and the provisions of the BC Human Rights Code. Our medical leave and accommodation processes are part of the many ways the university strives to achieve these goals.

The university and faculty members have a mutual interest in appropriately minimizing the adverse impact of a members' illness or disability on the member's career progress. They also share a mutual responsibility to cooperate in these processes.

The accommodation process for illness or disability requires:

- Collaboration between the university and the member to achieve a reasonable outcome that takes into account the specific forms of support that will permit the faculty member to best perform their duties
- Consultation with and involvement of the member in developing a plan that respects the dignity of the individual and promotes integration
- Taking into account relevant medical expertise and expertise regarding workplace accommodation.

Sick Leave

Who is eligible for sick leave benefits?

The provisions described below apply to eligible members listed in Section 51 of the [Collective Agreement](#).

Who do I contact regarding sick leave?

The faculty member must inform his or her chair (University Librarian in the case of a Librarian, and dean in case of a non-departmentalized faculty) as soon as possible and provide suitable medical documentation.

There are two work-life consultants in Human Resources whose roles are to assist you with sick leave. To contact the appropriate consultant, find your faculty at [Human Resources Contacts](#).

What are faculty sick leave benefits?

Where sick leave is approved for an Eligible Member under this section, the Member will remain on full salary and benefits during the period of approved sick leave

Can a faculty member work (i.e. attend a conference, conduct research, supervise students) during sick leave?

The primary obligation of an eligible member on sick leave is to regain her or his health. As indicated in [Section 51.12 of the Collective Agreement](#), a faculty member on sick leave shall not engage in teaching, participate as a member of any University committee or perform other employment-related duties or responsibilities.

When is medical documentation required?

As a condition of initiating, continuing, or extending sick leave the faculty member is required to provide medical reports to the University.

The Collective Agreement does not give a specific timeline for a member to submit medical documentation in support of an initial request for sick leave but it does indicate that members should provide suitable medical documentation as soon as possible and members are required to provide updated medical documentation to support extensions of such leave. Although it is rare, please note that under [Section 51.11 of the Collective Agreement](#), the University may require a medical report prepared by a physician or medical specialist nominated by the University.

What information should the medical documentation contain?

When the purpose of the documentation is to substantiate a sick leave, the documentation must include:

- confirmation that the faculty member's absence is related to a medical condition (diagnosis not required)
- Anticipated length of absence or next medical review date
- Any relevant functional limitations related to the workplace

The faculty member may choose whether to provide the medical documentation to the chair of the academic unit, to the work-life consultant, or to both.

Who is responsible for tracking sick leave time?

The department is responsible for tracking sick time. The chair (University Librarian or dean in the case of non- departmentalized faculties) is responsible for approving and ensuring completion of the appropriate paper work: [Position Status Change Request Form](#) (Form found under Faculty association box).

What is the approval process for sick leave?

[See Sections 51.6 – 51.11](#)

Period	May be approved by:
< 1 week - the remaining portion of the first month	May be approved, after consultation with the Department of Human Resources, by the Dean of the Eligible Member's Faculty who will inform the Chair of the approval; or the University Librarian in the case of a Librarian.
Initial 1 month period – 2 months	May be approved by the Dean of the Eligible Member's Faculty who will inform the Chair of the approval; or the University Librarian in the case of a Librarian after consultation with the Department of Human Resources, and the Vice-President Academic and Provost.
<3 months	May be approved, by the Vice-President Academic and Provost after considering updated medical documentation.

What happens if a faculty member is likely to require more than 6 months to recover from illness or injury?

The faculty member should consider an application for Long-term Disability (LTD). If at all possible, the application process should commence after six months of sick leave in order to avoid delays in LTD coverage. For more information: [Collective Agreement 51.14](#)

Long-term Disability

When should a faculty member apply for long-term disability benefits?

Where possible this process should commence after six months of sick leave in order to avoid delays in LTD coverage.

Where after six months of sick leave, a faculty is totally unable to perform any of their employment duties and responsibilities because of illness or disability and full LTD benefits have been approved by the insurance carrier, the Human Resources Department will notify the faculty member, the Dean (University Librarian in the case of a Librarian) and the Vice-President Academic and Provost; and the faculty member will be placed on leave without pay as long as the full LTD benefits continue.

What happens if a faculty member's long-term disability benefits application is not approved?

If a faculty member's long-term disability application is not approved, the faculty member shall either return to work, or, with agreement of the University, may be placed on a leave of

absence without salary. The faculty member has the option of engaging in the LTD appeals process with their insurance company. Information about the process and general questions will be provided to the faculty member by the work life consultant and Suzanne Helston, Benefits Manager. A member pursuing an appeal may choose to seek assistance from the Faculty Association.

Return to Work

Who needs to be notified regarding a faculty member's return to work?

The faculty member is responsible for providing supportive medical documentation to the university and communicating with their chair (University Librarian or dean in a non-departmentalized faculty) regarding their return to work plans, as medically appropriate. The chair (University Librarian or dean in a non-departmentalized faculty) is responsible for ensuring the appropriate paper work (i.e. position status change request form) is completed and should advise the work-life consultant in Human Resources.

Does a faculty member have to return to work at the beginning of the semester?

The chair (University Librarian or dean in a non-departmentalized faculty) will work with the faculty member and work life consultant and the faculty association to support the member's return to work process in a manner that meets both the needs of the member and the department.

Can a faculty member return to work and perform only partial duties?

A faculty member is required to be medically fit to resume their full duties and responsibilities associated with their position as outlined in each department's Standards for the Distribution of Duties and Responsibilities.

Can a faculty member return to work part-time?

This is a complicated issue as the faculty member may return to work on a reduced appointment or on a gradual return to work plan when there is involvement of a third party insurance provider (i.e. Long Term Disability, ICBC, WCB)

A faculty member, who is medically cleared to return to full or part time work, is required to perform each of the duties and responsibilities associated with his/her position (teaching, research, administration) at the appropriate pro-rated level. If a teaching assignment is not available, the faculty member must still be medically cleared to teach. Medical documentation should provide a prognosis for a return to work or next medical assessment date.

In certain cases where the faculty member has been medically cleared to return to work, the faculty member may choose to apply to reduce his/her appointment to part-time under Appendix 'C' of the [Collective Agreement](#).

Accommodation

The goal at UVic is to provide reasonable accommodation for individuals in a manner where everyone is dealt with fairly and equitably and that respects the needs of all parties.

What is an accommodation for medical reasons?

The university is committed to supporting faculty members in their pursuit of all aspects of their position including teaching, scholarship and service. Accommodation may be required for a person with a disability or in the case of illness. It is important to remember that disability is not an illness. Disability may be physical or non-physical in nature. Physical disabilities can be visible or non- visible. A disability may be chronic, progressive/ degenerative, temporary, or permanent. An accommodation may be needed to assist an individual who has demonstrated a need for such a measure in performing or fulfilling the substantive duties of their job. Please refer to [Policy HR6115: Employment Accommodation](#) for more details.

What is the process?

The accommodation process is outlined in Section 55 of the [Collective Agreement](#). A faculty member who needs accommodation should first discuss their needs with the Chair of the Department, supervising Librarian or University Librarian, as appropriate. All parties involved in planning for an accommodation must consult with the appropriate office within Human Resources and are encouraged to consult the Equity and Human Rights Office for advice and guidance.

What assistance is available?

Your work-life consultant in [Human Resources Contacts](#) can provide further information and clarification regarding the duty to accommodate, as well as suggestions for potential accommodations that have been used successfully in other circumstances. Examples of accommodations include:

- Employ assistants for individuals with hearing and/or visual disabilities
- Arrange lecture times to accommodate medical conditions which escalate over specific times of day (for example: did not schedule lectures early morning, over lunch or dinner time)
- Purchase (cost shared with department) adaptive equipment required for medical reasons such as: sit/stand desks, specialized chairs and stools, rolling carts, head sets, voice activated software

Please note that accommodation plans are specific to each case and each situation is unique. The work-life consultant will assist you and the faculty member to collaborate in developing an accommodation plan that fits the medical needs of the faculty member as well as the operational requirements of the academic unit.

Is there financial assistance available to purchase equipment or specialized services required for a medical accommodation?

Yes, the university has set aside a central accommodation fund, administered by the work life consultant, to assist departments in accommodating employees. This accommodation fund is a cost-sharing fund with the department that covers the purchase of standard equipment (e.g. chairs, software) and specialized services (e.g. hearing interpreter, additional TA support) to support the individual while on campus. The equipment or service is based on the documented medical limitations of the individual. Each situation is assessed individually on its merits. For questions regarding an individual situation and whether the fund may be accessed, contact the appropriate work life consultant in Human Resources.
