

*Amended
by 1752 to be
a permanent law
passed Jan 1955*

BY-LAW NO. 1565

BEING a By-Law to grant cumulative sick pay credits to salaried employees of the Municipal Corporation of the City of North Bay, excepting the employees of Boards and Commissions and such other employees, who, professionally engaged, devote only part time to Municipal Affairs, and to determine the method of administration of such Sick Pay Credits.

WHEREAS the Council of the Corporation of the City of North Bay deem it advisable to establish a cumulative Sick Pay Credit Plan for salaried employees and the method of administration of such a plan.

THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. For the purpose of initiating the plan, each Department shall establish the cumulative Sick Pay Credit due its respective employees as at April 30th, 1949, based on the employee's past service and absence record. In no case, however, shall service prior to January 1st, 1949, be taken into consideration.
2. Each employee shall receive a gross credit of one and one-half days for each "Unbroken Month" of service with the Corporation, such credit to be cumulative.
3. An "Unbroken Month" of service shall be one where an employee is employed on all working days in the month and is not absent from his or her duties because of illness.
4. Loss of time due to accidents occurring while on duty or illness inherent to occupation, as determined by the Head of Department, shall not be considered as breaking a month's service.
5. The number of days an employee is absent from duty on account of illness with pay during this period, other than an account of accident occurring while on duty or illness inherent to occupation, shall be deducted from the gross credit. The remaining net credit shall be the employee's sick pay credit.
6. The "Month" shall be the calendar month.
7. Subject to Section 25, credits shall be cumulative as from the beginning of the first complete calendar month after the commencement of duties.
8. A privileged employee who fails to qualify in any year (either the calendar year or the anniversary year) for privileges in the following year, but has cumulative credit, shall retain such credit against any future year in which he may be entitled to privileges.
9. Subject to Section 3 when an employee is given leave of absence without pay for any reason or is laid off on account of lack of work and returns to the Civic Service upon expiration of such leave of absence, etc., he shall not receive credits for the period of such absence but shall retain his cumulative credit, if any, existing at the time of such leave or lay-off.
10. If an employee is absent on account of illness and his cumulative sick pay credit has been exhausted, he shall not receive a credit of one and one-half days per month for the remainder of such absence.
- 11A. If an employee resigns his position with the Civic Service and later returns, he shall be considered a new employee and shall not be entitled to bring forward credits available prior to leaving the service.
- 11B. If an employee is discharged and later re-instated by authority of City Council, he shall be entitled to bring forward credits available prior to his discharge. If such employee is not re-instated by authority of City Council and is later re-engaged or re-hired, such employee shall be considered a new employee and not entitled to bring forward credits available prior to discharge.

12. Sick Pay Credit earned by service in any Department shall be allowed to the employee concerned and authorized sick pay shall be payable by the Department in which the employee is employed at the time of illness.

13. Whenever an employee's days of illness exceed his or her cumulative credit, the excess days of illness shall not be carried forward but shall be regarded as days of illness without pay.

14. Each Department Head shall authorize sick pay to employees in their respective Departments as follows;

Each regular, salaried employee on completion of the first year's service as defined in Section 18, shall be eligible to receive sick pay, at full salary for the time lost by reason of illness or injury except where an award is made under the Workmen's Compensation Act, to the full extent of sick pay credits available to him or her individually at the time of each absence.

15. The number of days or parts of days which an employee receives "Sick Pay" shall be deducted from his cumulative Sick Pay Credit.

16. Absence on account of illness for less than half a day shall not be deducted from cumulative credit. Absence on account of illness for half a day or more and less than a full day shall be deducted as one-half day from cumulative credit.

17. The whole or any part of vacation which may still be due on account of previous year's service shall be given an employee while absent because of illness, when his sick pay is exhausted, or the sick pay shall be interrupted in order that vacation may be completed before the end of the year.

18. The first year of service shall be completed as of the anniversary of the first day of the calendar month following the date of commencement of employment, and no sick pay shall be authorized for the period prior to such anniversary date.

19. The weekly half-holiday, Statutory and Special Holidays and regular "days off" shall not form part of the illness period. The day on which the weekly half-holidays is given shall be considered as a half-day for the purposes of sick-time.

20. An employee absent for more than three consecutive working days shall furnish within seven days from commencement of absence, a certificate from his or her personal physician covering nature and duration of illness, with first and last dates of attendance upon employee, as may, in the discretion of the Department Head concerned, be required. An employee absent for more than 24 consecutive working days, shall furnish immediately following such 24 days, and each subsequent 24 consecutive days of absence, a certificate from his or her personal physician covering the nature of the illness, latest date of attendance and the probable date on which the employee will return to duty.

21. An employee shall not be entitled to sick pay in advance of any credit he may earn in the current month, such credit becoming available on the first day of the succeeding month.

22. Where illness required that an adjustment shall be made in the amount of salary in a pay sheet prepared in advance of the paying date, such adjustment may be made in the pay sheet for the following pay period.

23. Sick pay shall include cost-of-living bonus, if any.

24. Employee's name shall be kept on the payroll during the periods of illness whether or not their cumulative credit has become exhausted. The approval of the Head of the Department for sick pay shall appear on the pay sheet concerned or on the subsequent pay sheet as follows:

Name (as on Pay Sheet) Illness 3 days July 2-4, authorized by: 4-7-49.

If cumulative credit is not available, a notation as to absence on account of illness without pay shall appear on the pay sheet or next subsequent pay sheet.

25. Where an employee or the Head of any Department is in doubt as to the application of any of the provisions of this By/Law or the meaning of any of its terms, appeal for clarification may be made through the City Clerk to the General Government Committee of City Council.

26. It shall be the duty of each Head of a Department to maintain in his Department, a complete system of record of cumulative Sick Pay Credits and payment on account thereof.

27. That payment of cumulative Sick Pay Credit Grants be made to employees upon termination of employment. Subject to Sections 28, 29 and 30.

28. In this By-Law, employee means a salaried permanent employee of the Corporation except as noted in the preamble of this By-Law.

29. Upon termination of employment, all employees who have been in continuous employment with the City of North Bay for at least ten years may qualify for payment of cumulative sick pay credits up to a maximum of 180 days as shown elsewhere in the regulations.

30. Every employee who, while in the service of the Corporation, has become incapable through illness, old age or disability, of efficiently discharging his duties, and every employee who dies during employment, the whole or part of such amount as is equal to the cumulative sick pay credit of the employee, but in no case shall such amount exceed the aggregate amount of his salary or other remuneration for the period set forth in Column 2 of the Schedule contained herein corresponding to the service requirement set forth in Column 1 thereof. The following is the Schedule hereinbefore mentioned.

COLUMN 1.

COLUMN 2.

Service requirement	Period
At least 10 years and less than 15 years	3 Calendar Months
At least 15 years and less than 20 years	4 Calendar Months
At least 20 years and less than 25 years	5 Calendar Months
At least 25 years	6 Calendar Months

In the event of the death of an employee, the amount payable under this By-Law shall be paid to such of his dependents (if any) as the Council may in its sole discretion determine.

31. Prior to an employee terminating his employment with the Corporation, for the reasons set out, the Head of the Department concerned shall make recommendations to the General Government Committee for authorization of a grant as provided in this By-Law and upon receipt of such authorization shall certify the pay sheet for the amount of the Grant so authorized.

32. Upon the death of an employee in the service, the Head of the Department concerned shall make recommendation to the General Government Committee for authorization of a Grant to such employee's dependents (if any) and upon receipt of such authorization shall certify the pay sheet for the full amount of the Grant so authorized.

33. Sick Pay Credit Grants shall include Cost-of-Living bonus (if any).

34. In no case shall award made by the Workmen's Compensation Board be deducted from any authorized grant to employee's or their dependents.

That this By-Law shall have full force and effect on the passing

BY-LAW NO. 1565

(Cont'd)

READ A FIRST TIME IN OPEN COUNCIL THIS 14th DAY OF NOVEMBER, 1949.
READ A SECOND TIME IN OPEN COUNCIL THIS 21st DAY OF NOVEMBER, 1949.
RULES OF ORDER BE SUSPENDED AND BY-LAW READ A THIRD TIME SHORT AND
PASSED THIS 21st DAY OF NOVEMBER, 1949.

Red Eric

MAYOR

S. A. Gray

CLERK-TREASURER