

**To:** All staff and physicians  
**From:** Maura McKinnon, Chief Human Resource Officer  
**Date:** Oct. 13, 2020  
**Re:** **Leave entitlement related to COVID-19 absences**

## **Leave entitlement related to COVID-19 absences**

For the past few months, Horizon has been planning for the anticipated second wave of COVID-19 this Fall. Many of the measures put in place during the first wave this past Spring were done in quick reaction to a sudden emergency event. We now all (Horizon, government, businesses, employers, members of the public, etc.) have the benefit of more planning time and more knowledge leading into a second wave.

This Fall will look very different compared to last Spring. By following WorkSafeNB's guidelines and the guidance from Public Health, Horizon has put in place the necessary measures to mitigate the risk of spreading COVID-19.

A number of employees and managers have asked about leave entitlement related to COVID-19 absences. As a tool to help you navigate the pandemic, here is a guide to the application of leave provisions in a number of scenarios that you may encounter over the next months involving yourself or your dependents. Please review it carefully. If you have any questions, please consult your manager or Human Resources.

In cases where the employees must miss time from work and a suitable alternate arrangement cannot be made, employees will need to use, in accordance with normal practice, the various leaves available to them in their applicable collective agreement or non-bargaining policy.

Horizon is sincerely appreciative of the efforts made by our dedicated employees in response to the COVID-19 pandemic.

Application of Leaves Provisions  
Horizon Health Network

| Scenarios |                                                                                                                                     | Alternate Arrangement/Accommodation                                                                                                                                                                                                                                                             | Applicable Leave (If no arrangement/accommodation)                                                                                                                                                                                                                                                                          | Notes |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1.        | <b>Childcare or family responsibilities</b>                                                                                         |                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                             |       |
| a)        | <b>New school bus schedule or school/daycare drop-off and pick-up times do not align with regular work schedule</b>                 | Manager may approve suitable flexible work-hours arrangement (e.g. different start/end times, compressed lunches/breaks, etc.) based <b>on operational requirements</b> and <b>ensuring regular number of work hours are completed</b> and program/service delivery is not negatively impacted. | If no alternate arrangement/accommodation possible, employee may, upon manager's approval, use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable). <b>Leave without pay</b> once vacation/banked OT is exhausted or employee chooses not to use vacation/banked OT.                             |       |
| b)        | <b>Employee has child/dependent requiring care who is sick (COVID-19 related or otherwise) or waiting for COVID-19 test results</b> | Employee is required to make all reasonable efforts to find safe alternate care arrangements. If not available, employee may request emergency and/or family responsibility leave as per the applicable collective agreements.                                                                  | <b>Emergency and/or family leave</b> available in applicable collective agreement or policy for non-bargaining employees. <b>Leave without pay</b> once available emergency and/or family leave is exhausted. Employee may, upon manager's approval, use <b>vacation credits or time off in lieu of banked overtime</b> (if |       |

|    |                                                                                                                |                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                |                                                         |
|----|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|    |                                                                                                                |                                                                                                                                                                                                                            | applicable) before taking leave without pay.                                                                                                                                                                                                                                                                                                                                   |                                                         |
| c) | <b>Employee's child's school or daycare closed by Public Health or by school district/EECD due to outbreak</b> | Employee is required to make all reasonable efforts to find safe alternate care arrangements. If not available, employee may request emergency and/or family responsibility leave as per applicable collective agreements. | <b>Emergency and/or family leave</b> available in applicable collective agreement or policy for non-bargaining employees.<br><b>Leave without pay</b> once available emergency and/or family leave is exhausted.<br>Employee may, upon manager's approval, use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable) before taking leave without pay. | Applies only for duration of school or daycare closure. |
| d) | <b>Employee chooses to homeschool child(ren)</b>                                                               | N/A                                                                                                                                                                                                                        | <b>Leave without pay (upon manager's approval)</b><br>Employee may, upon manager's approval, use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable) before taking leave without pay.                                                                                                                                                               |                                                         |
| e) | <b>Daycare/school is open but employee chooses not to send their child/children</b>                            | N/A                                                                                                                                                                                                                        | <b>Leave without pay (upon manager's approval)</b><br>Employee may, upon manager's approval, use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable) before taking leave without pay.                                                                                                                                                               |                                                         |

|    |                                                                                                                                                                                   |                                                                                                                                                    |                                                                                                                                                                 |                                                                                                                                                                                                                                                                            |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| f) | <b>Employee has household member who has been advised by Public Health or 811 that they are required to self-isolate or is being tested for COVID-19</b>                          | Unless employee has been advised by Public Health or 811 to self isolate, employee reports to workplace in accordance with usual work arrangement. | <b>N/A</b>                                                                                                                                                      | Having a household member self-isolating or being tested for COVID-19 does not prevent employee from reporting to work unless Public Health has advised her/him that they also need to self-isolate. If employee is advised to self-isolate, see applicable scenario 2(d). |
| 2. | <b>Employee illness or other personal circumstances</b>                                                                                                                           |                                                                                                                                                    |                                                                                                                                                                 |                                                                                                                                                                                                                                                                            |
| a) | <b>Employee has two or more COVID-19 related symptoms and is too unwell to work</b>                                                                                               | N/A                                                                                                                                                | <b>Available sick leave</b><br>If employee exhausts sick leave credits, may use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable). | Employee who exhausts leave may take a <b>leave without pay</b> and apply for EI sick benefits if eligible.                                                                                                                                                                |
| b) | <b>Employee is turned away from workplace due to screening questions related to their health but could have otherwise worked (i.e. is not showing any influenza-like illness)</b> | N/A                                                                                                                                                | <b>Available sick leave</b><br>If employee exhausts sick leave credits, may use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable). | Employee who exhausts leave may take a <b>leave without pay</b> and apply for EI sick benefits if eligible.<br><br>There may be other leaves applicable as outlined in the employee's collective agreement.                                                                |
| c) | <b>Employee has been on a long-term sick leave before COVID-19 (March 2020), they remain on sick leave</b>                                                                        | N/A                                                                                                                                                | <b>Available sick leave</b>                                                                                                                                     | Employee who exhausts leave may take a <b>leave without pay</b> and apply for EI sick benefits if eligible.                                                                                                                                                                |

|    |                                                                                                                                                                                                                            |     |                                                                                                                                                                                                                                        |                                                                                                                                                                                                             |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | <b>until able and fit to return to work</b>                                                                                                                                                                                |     |                                                                                                                                                                                                                                        |                                                                                                                                                                                                             |
| d) | <b>Employee has been advised by Public Health or 811 to self isolate (see exception in next row below) or is waiting for COVID-19 test results</b>                                                                         | N/A | <b>Available sick leave</b><br>If employee exhausts sick leave credits, may use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable).                                                                        | Employee who exhausts leave may take a <b>leave without pay</b> and apply for EI sick benefits if eligible.<br><br>There may be other leaves applicable as outlined in the employee's collective agreement. |
| e) | <b>Employee has to self-isolate because they travelled outside the scope of travel bubble exemptions with manager's approval (see mandatory order) for non-work-related reasons after travel advisory was put in place</b> | N/A | <b>Leave without pay</b><br>Employee may, upon manager approval, <b>use vacation credits or time off in lieu of banked overtime</b> (if applicable) before taking leave without pay.                                                   | Vacation during self isolation must be approved by manager based on operational requirements.                                                                                                               |
| f) | <b>Employee contracts COVID-19 in the workplace</b>                                                                                                                                                                        |     | <b>Leave with pay at 100% for the acute phase of the illness (typically three to four weeks).</b><br><b>Employees are required to file a WSNB claim. Absences longer than the standard acute phase will be paid according to WSNB.</b> | WSNB determines whether submitted claims will be accepted.                                                                                                                                                  |
| g) | <b>Employee contracts COVID-19 in the community</b>                                                                                                                                                                        |     | <b>Available sick leave</b><br>If employee exhausts sick leave credits, may use <b>vacation credits or time off in lieu of banked overtime</b> (if applicable).                                                                        | Employee who exhausts leave may take a leave without pay and apply for EI sick benefits if eligible.                                                                                                        |

|    |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                 |                             |                                                                                                                                                                                                                                                                                           |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. | <b>Vulnerable Populations</b>                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                 |                             |                                                                                                                                                                                                                                                                                           |
| a) | <b>Employee is part of a population segment vulnerable to COVID-19 as defined by the Public Health Agency of Canada. This includes employees with heart disease, hypertension, diabetes, chronic respiratory diseases, cancer, or those with compromised immune systems related to a medical condition or treatment.</b> | Employee reports to workplace in accordance with usual work arrangement.                                                                                                                                                        | <b>N/A</b>                  | Being part of a vulnerable population segment does not prevent employee from reporting to workplace with proper COVID-19 safety measures in place and by taking additional precautions such as wearing a community mask (see the Personal Measures section of the detailed alert levels). |
| b) | <b>Employee has a medical note confirming they have an underlying health condition that makes them vulnerable to COVID-19 AND that they cannot be present in the workplace.</b>                                                                                                                                          | Manager to seek additional information from medical professional about employee's limitations and any workplace accommodations that can be put in place. If no accommodation, employee may work remotely from home with manager | <b>Available sick leave</b> | Employee who exhausts leave may take a <b>leave without pay</b> and apply for EI sick benefits if eligible if no available sick leave                                                                                                                                                     |

|    |                                                                                                                                                  |                                                                          |                          |                                                                                                                                                                               |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                                                                  | approval and if equipped to work effectively and productively.           |                          |                                                                                                                                                                               |
| c) | <b>Employee has household member who is part of a population segment vulnerable to COVID-19 as defined by the Public Health Agency of Canada</b> | Employee reports to workplace in accordance with usual work arrangement. | <b>N/A</b>               | Having a household member who is part of a vulnerable population segment does not prevent employee from reporting to workplace with proper COVID-19 safety measures in place. |
| 4. | <b>Out-of-Province Travel</b>                                                                                                                    |                                                                          |                          |                                                                                                                                                                               |
| a) | <b>Employee travelled for non-work-related reasons before a new travel advisory was put in place and must self isolate upon return</b>           | N/A                                                                      | <b>Leave with pay</b>    | Applies during 14-day isolation period only.                                                                                                                                  |
| 5. | <b>Right to Refuse</b>                                                                                                                           |                                                                          |                          |                                                                                                                                                                               |
| a) | <b>Employee refuses to work after worksite has been deemed safe by WorkSafeNB</b>                                                                | N/A                                                                      | <b>Leave without pay</b> | Continued refusal to work by employee may be considered insubordination and subject to disciplinary measures up to and including dismissal.                                   |