



The Alberta Teachers' Association

# Teachers' Sick Leave and EDB Guide



**This checklist is for teachers on sick leave who may require extended disability benefit (EDB) offered through the Alberta School Employee Benefit Plan (ASEBP).**

*NOTE: This guide is for teachers in school jurisdictions that participate in disability plans offered through the Alberta School Employee Benefit Plan.*

This booklet was developed by the Teacher Welfare staff of the Association under the guidance of the Teacher Welfare Services Committee. In preparing the booklet, significant input, structure and material were provided by the Calgary Public No 38 LTD/EDB Support Group and the Edmonton Public Teachers Local No 37 working committee. Its purpose is to provide teachers with guidance in processing sick leave claims and disability applications. This guide does not purport to provide answers to all questions. Teachers are advised to contact the Association's Teacher Welfare staff for more specific advice and assistance.

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# Sick Leave

✓ <i>Situation/Steps to Take</i>	<i>Notes</i>
<b>1 Sick Leave</b>	
— You are not able to work due to illness or injury.	Usually a medical certificate is required after three to five days' absence from work. <b>Refer to the sick leave provisions of your collective agreement.</b>
— Make an appointment with your doctor. Obtain a medical certificate stating that you are unable to perform teaching duties due to medical reasons. No specific details regarding your medical condition should be included in the medical certificate. Forward it to the central office of your school jurisdiction.	
— If your school board sends you a medical certificate to complete, call Teacher Welfare for advice.	
— DO NOT reduce your full-time equivalent (FTE), as this will result in a reduced EDB benefit level once approved.	
— Keep a copy for your records.	
— If, during the first 90 days of leave, your school board asks you for information about the nature of your illness, call the Association's Teacher Welfare (TW) program area immediately and ask to speak to a TW executive staff officer. Do not answer such questions without getting advice first. Medical information should remain private.	

## Early Intervention

- ASEBP's Early Intervention Program (EIP) allows injured or ill teachers to return to work in some capacity without risking their ability to access EDB. The EIP is designed to benefit teachers in building an effective return to work

<i>✓ Situation/Steps to Take</i>	<i>Notes</i>
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strategy that works for both the teacher and the school district.

- The EIP may not be appropriate for all medical conditions. Early on in the process of being off work on a medical leave, a teacher may receive specific forms for EIP from ASEBP. If you or your doctor are unsure about your participation in this program, contact Teacher Welfare for assistance.

## **2 Manage Your Medical Care**

- If your illness or injury is such that will require the long term to recover, be sure to schedule the appropriate medical appointments promptly (start before 15 days of sick leave has expired). These appointments should be with your general practitioner (GP) and with a medical specialist or related medical care giver. It takes time to get an appointment and for medical care givers to prepare and submit medical reports to the ASEBP. It is not unusual to wait up to 4 months for an appointment with a specialist.

Contact an Association Teacher Welfare staff officer and ask for advice at 1-800-232-7208 (toll free in Alberta) or 780-447-9400 (in Edmonton).

- Submit a doctor's certificate to your employer as required under the collective agreement.

It is the teacher's responsibility to keep in touch with ASEBP regarding submission of medical documentation and treatment. Take ownership of your claim.

- Provide medical report(s) to the ASEBP as you receive them. Make copies for your record. If your doctor submits a medical report directly to the ASEBP, instruct the doctor's office to provide you with a copy. (See item 5 regarding confidentiality).

Contact ASEBP at 1-877-431-4786 or 780-431-4786 (in Edmonton).

### 3 Documentation on File

- As soon as you are on sick leave set up a file. Keep a copy of all medical reports, documents, written communication, phone calls and inquiries.
  - Confirm receipt of any documentation sent in.
  - If possible, maintain a daily health journal to provide evidence of disability.

Keep a record of all phone calls and personal inquiries; record the date, time, person contacted and context of conversation.

### 4 Employee Information and Forms

- Familiarize yourself with
  - collective agreement sick leave and insurance benefits provisions,
  - any employee benefits handbook provided by your employer, and
  - ASEBP on-line information.
- At about 30 calendar days sick leave you should receive a letter from your employer informing you that ASEBP has been informed of your absence. At this stage, the ASEBP should send EDB application forms to your home address. If the application forms do not arrive, request them directly from the ASEBP.

For assistance, contact the Association and seek advice from Teacher Welfare staff.

### 5 Employee Confidentiality

- ASEBP will treat your EDB application in the strictest confidence. Your employer is not entitled to specific details concerning your medical condition. **Do not sign an employer consent form providing access to ASEBP-related medical information if you are sent one.** However, ASEBP will ask you to sign a consent form to provide your employer with basic facts, such as the date you are accepted on to EDB and if you require accommodation on your return to work. It is okay to sign this form.

For assistance, contact the Association and seek advice from Teacher Welfare staff.

## **6 Sick Leave Extensions**

- If you need to extend sick leave, inform your employer *before* your sick leave expires.
  - Check with your employer regarding the procedure for extending sick leave. Review your collective agreement.
  - Any notification of the extension of sick leave should be accompanied by a medical certificate from your doctor.
  - Once you are accepted by ASEBP for EDB (after 90 calendar days), the ASEBP will advise your employer.
  - If your EDB claim has not been accepted, provide your employer with medical notes to support unpaid sick leave. DO NOT take a leave of absence.
- As a courtesy, you should keep your principal informed about the duration of your sick leave, but not about the nature of your illness.
- For assistance, contact the Association, and seek advice from Teacher Welfare staff.
- In many collective agreements, employers continue their portion of benefit premiums. For assistance, contact the Association and seek advice from Teacher Welfare staff.

## **7 Application for Employment Insurance (EI) Benefits**

- If you don't have enough sick leave to cover the 90-day period, you may be eligible for EI sickness benefits.
  - If you are not initially accepted for EDB by ASEBP, apply for EI sickness benefits. Note that if your EDB claim is approved, you must repay EI sickness benefits covering the period from the 90th day of absence to the end of your EI claim.
  - An interview with EI may be necessary after you have completed your application.
  - Your doctor is required to complete an EI medical form.
  - Keep a copy of your medical form and note your claim number and log-in information.
- Apply as soon as possible. Application should be made online at Service Canada (look for Employment Insurance on-line application). If possible, hand deliver doctor's medical forms because your claim will not be processed until the forms are received. If you do not hear from EI in the time indicated, contact them. Certain original documentation may be required. You will need a record of employment (ROE) from your employer. Expect to have income tax deducted.

# Extended Disability

✓ *Situation/Steps to Take*

*Notes*

## 8 Returning to work on a “reduced workload” during the 90-day sick leave period

- DO NOT return or discuss a gradual return to work without contacting the Association first. Doing so could seriously compromise your sick leave and EDB claim, unless you are participating in the ASEBP Early Intervention Program and you are approved by ASEBP for Early Intervention.

To speed up processing, have your doctor fill out the physician’s statement while you are at the office. If it is not completed properly it will have to be redone. If your doctor believes that you are disabled, ask your doctor to state that you are “**disabled and unable to perform any of your normal duties as a teacher.**” The doctor’s statement should not specify date of return, but should be left open-ended; for example, “will return to employment when determined medically fit to do so.” Ask your doctor for a copy. Send documents to ASEBP.

## 9 Application for Extended Disability

- Application for EDB is made within 90 calendar days of accessing sick leave. It should be done as soon as it is determined that you will not be returning to work on or before the 91st day.
- ASEBP will mail you forms to be completed near your 30th day of continuous absence due to illness.

**Employee**—attach a copy of your birth certificate to the forms.

**Two health care physician reports** are required (GP and specialist). If your doctor chooses to send the medical statement directly to ASEBP, insist that you have a copy for your file. Notify your employer that an application for EDB has been made. **Do not send copies of medical reports to the employer. Do not sign an employer medical consent.** Keep copies of everything.

## **10 Extended Disability Approval**

- ASEBP will communicate its decision regarding your EDB claim directly to you. An ASEBP coordinated claims facilitator (CF) or claims processor (CP) will be your usual contact. The ASEBP will notify your employer as to your benefits status.
- The initial period of coverage is up to two years. (See item 20.)
- Keep the EDB approval letter for your file.
- While you are on EDB you remain an employee of the school jurisdiction.  
**Do not change teaching contract status without consulting Association staff.**  
**Do not resign your contract without calling the Association.**
- If you are accepted on to EDB, you will be sent a package that includes the following:
  - A personal tax credit return form that allows ASEBP to determine the amount of tax to be withheld from your EDB.
  - An automatic direct deposit form.
  - Deduction of payment for Canada Pension Plan (CPP). (See item 12.) If you are approved for EDB and accepted for CPP, the ASEBP will ask you to reimburse monies paid to you by CPP. This CPP payment is an offset.
  - Benefit payment details. You are paid 70 per cent of salary lost while on EDB beyond the initial 90 days. If you remain on EDB into the following school year (beginning in September), your EDB cheques will be for 70 per cent of your predisability monthly earnings.



✓ <i>Situation/Steps to Take</i>	<i>Notes</i>
— If you are accepted onto EDB, the ASEBP will deposit monthly payments directly into your bank account. Payments are made on the last day of the month. The payment receipt statement is sent by mail. Retain it for tax purposes.	
— Note it is your responsibility to maintain Association membership while on leave of absence. The Association invoices members on leave twice per year (in September and in February) for previous months. Do not pay membership dues until you receive an invoice. Call the Association at 1-800-232-7208 (toll-free in Alberta) or 780-447-9400 (in Edmonton) if you require assistance. Leave of absence membership is \$96 per year (or \$8 per month).	
— While you are on EDB, insurance benefit premiums for life, AD&D, EHC and EDB are waived if provided by the ASEBP. Unless your collective agreement states otherwise, your employer will continue to pay the same percentage of premium to the remainder of your benefits plans (dental and vision).	
— <b>RRSP contributions.</b> If you make automatic deductions, you may want to consider lowering your contributions.	
— If you are a member of the voluntary Group Life Plus insurance plan through Capital Estate Planning and are disabled, you could qualify for a waiver of premiums. Contact Capital Estate Planning for more information, 1-800-661-8755.	

## 11 EDB Rejection

- If your application for EDB is rejected, you may submit further medical information to the ASEBP. Medical information should describe your disabling condition, extent and severity of the condition, restrictions imposed, and how they prevent you from performing the normal duties of your occupation.
  - If the initial EDB claim is rejected, ask your ASEBP claims facilitator (CF) what medical information is missing. Resubmit with the new information.
  - Send any additional information. Keep file copies.
  - **Do not forfeit or change your teaching or contract status without contacting Association Teacher Welfare staff.**
  - If there is still a problem after additional information has been sent to the ASEBP, contact your CF for clarification. You should also contact Teacher Welfare staff.
  - Request that your CF confirm all conversations regarding additional information in writing.
  - A formal appeal may be launched.
  - Be aware of the appeal procedure on the ASEBP website. If you wish to consider appealing, call the Association at 1-800-232-7208 (toll free in Alberta) or 780-447-9400 (in Edmonton).
- Your doctor and/or medical specialist should state that you are **“disabled and unable to perform any of your normal duties as a teacher.”** Specific supporting documentation must be provided.
- Medical evidence is crucial. Many claims are rejected due to confusing or inadequate information.
- Confirm any information acquired by phone, in writing, with your CF, as in the example below.
- “It is my understanding from our telephone conversation of (date) that you only require further information on (details). If this is not the case, please respond in writing.”
- For assistance, contact Association Teacher Welfare staff.

## **12 Canada Pension Plan—Disability Benefits**

- Apply for disability benefits online through Service Canada or call 1-800-622-6232 for forms.
  - Have your doctor complete the CPP medical form. CPP will reimburse up to \$65 for a medical report.
  - Make an appointment and take completed forms, birth certificate and SIN card.
  - Note that your dependent children may be eligible for benefits.
  - Immediately notify ASEBP with a copy of your acceptance/rejection letter from CPP.
  - If your application is turned down, you have 90 calendar days to send a reconsideration letter. The process may seem daunting but the Association is available to assist you. Additional supporting medical documentation will probably be required.
- ASEBP will require that you apply for CPP. There is an average response time of approximately three months. If you are rejected, ASEBP may ask you to appeal.
- Contact Association Teacher Welfare staff and request information on how to file an appeal. Association staff will assist with your appeal.
- CPP benefits are taxable.

## **13 Medical Benefits**

- Prior to the expiration of paid sick leave, ensure that your dental and vision care (if applicable) coverage continues. Do not let coverage lapse. Transferring benefits to a spouse may have negative implications.
  - Request pay schedule for premiums from the employer.
- If you have an employed spouse, you may be able to receive coverage under your spouse's insurance.
- Some collective agreements ensure that the employer must continue to pay its required share of insurance benefit premiums; other collective agreements state that the teacher must pay the full benefit premiums. Seek advice from Association Teacher Welfare staff. You will be billed for your share of the premiums if you choose to keep the coverage for which premium is not waived.

## **14 Alberta Teachers' Retirement Fund (ATRF)**

- Teachers in receipt of EDB are not required to contribute to ATRF in order to continue accruing pensionable service. Ensure that you inform ATRF of your change in status. Ask the ASEBP to advise ATRF as to the date your claim was accepted.
- Apply to ATRF. Request the disability service accrual application form. This is also available online at [www.atrf.com](http://www.atrf.com).

ATRF's phone number is 1-800-661-9582 (toll free in Alberta). The Edmonton number is 780-451-4166.

## **15 Benefits While on EDB**

- In addition to your pension contributions being waived, you do not have to pay CPP, EI, EDB or full Association fees. You continue to receive life insurance, accidental death and dismemberment, EHS and EDB coverage, but the premium is waived.
- See note re Group Life Plus in section 10.

Contact Association Teacher Welfare staff to determine the benefits premium percentage defined in your collective agreement specific to dental, Alberta Health and, possibly, vision care.

## **16 Income Tax**

- Your EDB payments from ASEBP are taxable income and must be reported on your income tax form. ASEBP deducts taxes from your EDB payments.
- CPP disability payments are taxable and must be reported on your income tax form. You will receive a T4 each year for tax purposes.
- File your income tax return.

It is essential to prove eligibility for certain medical aids that may be tax exempt.

## 17 Disability Tax Credit Certificate

- If you are eligible, it will lower your income tax.
- Obtain application form.
- Have your physician fill in his or her portion of the application.
- File form with your income tax return.

Approval and eligibility are subject to periodic Canada Revenue Agency (CRA) medical review.

Contact CRA for form #T2201 and locate the section called "Tax Credits and Deductions for Persons with Disabilities" online. Qualifying for CPP disability does not mean that you qualify for the tax credit.

You must have prolonged impairment (at least 12 consecutive months) that markedly restricts your ability to perform one or more basic activities of daily living; that is, speaking, hearing, walking, voiding, feeding, dressing or mental functions.

## 18 Rehabilitation

- An ASEBP claims facilitator will contact you and ask you to sign a release to give the ASEBP access to your relevant medical records. This access should be restricted to your current medical condition.
- ASEBP may have a rehabilitation counsellor contact you.

**Before signing release forms giving rehabilitation counsellors access to your medical information, contact the Association.** Do not wait until the end of the two-year period. You must receive consent from ASEBP prior to any rehabilitative work.

The employer may require you to see its physician or meet accommodation requirements.

Be cautious about relinquishing your present teaching status unless it is part of an accommodation agreement. Do not change teaching contract status. Accepting part-time employment may affect benefits and pension. Contact Association Teacher Welfare staff.

## 19 Returning to Work

- If your doctor indicates that you are ready to return to full-time work, take the following steps:
  - Notify the employer.
  - If the doctor recommends a gradual return to work, have your physician write a letter stating the extent to which you are able to resume your teaching duties.
  - Often, a return to work on a volunteer basis for the first few weeks is desirable.
  - Seek ASEBP's guidance; otherwise your contract status may be negatively affected.
  - Obtain ASEBP's approval.

✓ <i>Situation/Steps to Take</i>	<i>Notes</i>
<ul style="list-style-type: none"> <li>• Once you have returned to work, notify ATRF, CPP, the employer and any other organizations that may require this information.</li> </ul>	<p>Before reducing your assigned time, contact Association Teacher Welfare staff.</p>
<p>— If your EDB is discontinued and you return to work at a reduced teaching assignment, this reduced time will determine your EDB payments in the future if you go on sick leave again and apply for EDB.</p>	

## **20 EDB Beyond Initial Two Years**

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| <p>— <b>To be eligible for continued disability beyond the first two years, you have to medically demonstrate that you are unable to perform any occupation</b> for which you are or may become reasonably qualified by education, training or experience. Earnings shall not be less than 60 per cent of your predisability income.</p> | <p>This is a medical decision. Medical documentation must come from your doctor and appropriate specialists.</p> <p>It is helpful if your physician states that you are totally disabled from performing the duties of any occupation. You will likely need report(s) from your specialist(s).</p> |
| <p>— Your physician’s statement must include a description of your disabling condition, extent and severity of condition, restrictions imposed, and how they prevent you from performing duties of any occupation.</p>   |  |
| <p>— Once you have been approved beyond the first two years, check annually for any changes in policy or any other action required.</p>  |  |

## **Checklist**

- ✓ Create a file and keep copies of all correspondence.
- ✓ Contact Association Teacher Welfare staff if considering
  - reducing your FTE (teaching time),
  - changing benefit selection, or
  - signing any medical release requested by the employer.
- ✓ Maintain regular contact with ASEBP.
- ✓ Advise employer of duration of illness, not the nature of the illness.

## **NOTE**

Each case is unique. Appropriate steps and procedures will vary. As a claimant, you are responsible for managing and monitoring your sick leave and disability claim.

Confidentiality will be respected when you contact an Association representative.

Contact Teacher Welfare staff of the Alberta Teachers' Association at 1-800-232-7208 (toll free in Alberta) or 780-447-9400 (in Edmonton).