



SCHOOL DISTRICT 5

S O U T H E A S T K O O T E N A Y

March 14, 2020

Dear CFTA and CUPE employees of School District 5:

Further to the email to the CFTA co-chairs and CUPE president/shop steward on March 13, 2020 regarding non-essential travel, we issue the following statement:

All employees are expected to comply with the recommendations of the Provincial Health Officer including the recommendations with respect to out of country travel.

In addition, employees have obligations under the Workers Compensation Act to take reasonable care to protect the health and safety of themselves and others in the workplace.

Given [the PHO's recommendation issued Thursday, March 12](#), "against all non-essential travel outside of Canada, including to the United States," if an employee chooses to ignore the recommendation and continues to travel out of the country, upon their return they will be required to stay away from work for 14 days and they may need to access the vacation or unpaid leaves of absence available to them. We realize that in many cases, this will mean that teachers who do not have "vacation" banks may be on leave without pay.

It has been determined by School District 5 that any non-essential travel that occurred **before midnight, Friday March 13, 2020** by School District 5 CFTA and CUPE employees would be subject to an "**unavoidable quarantine**" or self-isolation period. Any non-essential travel occurring **after March 13th** would be viewed as ignoring the PHO's recommendation for travel and as such would be viewed as an "**avoidable quarantine**" or self-isolation period.

In our CFTA Agreement, Article G11.2 states "*Any days during which the teacher has been absent with full pay for reasons of illness or unavoidable quarantine shall be charged against any sick leave accumulated by the teacher.*"

In our CUPE Collective Agreement, Article 10.1a.i "*sick leave means the period of time the employee is permitted to be absent from work with or without pay, by virtue of sickness, unavoidable quarantine, or accident for which compensation is not payable under the Workers' Compensation Act.*"

Flowing from employees' obligations under the *Workers Compensation Act*:

- Before coming to work, employees should seek specific advice from public health officials (such as by contacting 811, public health authority, or other public health office) if they may have symptoms of COVID-19, have been in direct contact with a person who is or may be infected with COVID-19, and/or have been in direct contact with a person who has travelled internationally within the last 14 days.

Considering all of the above employees are expected to comply with the Provincial Health Officer's recommendations and not travel outside of Canada.

We understand this was difficult information to receive just prior to spring break. This situation continues to evolve. Please check our district's website and district email for updates.

Sincerely,

Silke Yardley, Superintendent
Al Rice, Secretary Treasurer
Brent Reimer, Director of Instruction/Human Resources