



It's important for members to read and understand their contract. This document summarizes frequently asked questions and offers some commentary. Many situations are unique, so please contact your union steward or the union office if you need more explanation or need advice on your specific concern or question.

1. Do I need to take vacation/personal /lieu time for health care appointments?

**Article 13:14:** *"Where an employee cannot schedule a health care appointment outside of the employee's regular working hours, the employee will give as much advance notice as possible, and will be given time off with pay necessary to attend the appointment. In such cases, the employee will attempt to schedule the appointment so as to minimize disruption to the employee's work day."*

*"A request by an employee to attend regularly occurring health care appointments, such as an ongoing treatment regimen, which cannot be scheduled outside the employee's regular working hours, may be treated by the University as a request for accommodation within the meaning of Article 20:06 and treated accordingly, as appropriate."*

Occasional and periodic health care appointments should not be counted as a personal day, a sick day, or a vacation day. They also should not be counted as lieu time (i.e., time you have to make up later or use time from your overtime bank). The onus is on the employee to do their best to schedule appointments outside of work time. If that's not possible, then they should try to schedule the appointment to minimize disruption.

If you have regularly scheduled and frequent health care appointments, you may need to work out a flex time/accommodation arrangement instead. If you have a good relationship with your boss, you can work out something informally. If you don't want to go this route, you should go to Health and Wellbeing. You have the right to have a union rep help you with this.

## 2. Do I have to give a doctor's note when I'm off sick?

The University can request a doctor's note at any time. However, such requests must be reasonable and employees must be given prior warning of the request. Fees for a first doctor's note are usually paid for by the employee, while any thereafter are paid for by the employer.

*Remember, you never need to disclose your medical condition or treatment to your boss or co-workers.* If your expected absence is more than two weeks, you can give your documentation to Health and Wellbeing. If it is less than that, in most cases you will need to give it to your manager, if requested. You can ask your doctor to provide your expected return to work date but you do not need to include diagnosis or type of treatment.

## 3. How does overtime work?

[Articles 24:06, 24:07, 24:08, 24:09](#)

Don't work for free – U of T is built on unpaid "voluntary" overtime – too many of our members work through lunch, stay late or work from home, without being compensated for it. We all want to work hard and do a good job, but don't allow yourself to be exploited. Come on time, work efficiently and effectively and go home and have a life.

Authorized hours worked in excess of 36 ¼ hours a week will be paid at time and a half. In order to get credit for overtime worked, it must be authorized in writing in advance by your supervisor. Departments are supposed to have procedures in place for overtime approval in urgent situations when you can't get pre-approval.

Managers are not allowed to ask you to flex your time within the same week (ie: work late on Monday night and come in late on Tuesday morning.) Time and a half credit for overtime does not start until you've worked OVER 36 ¼ in the same week.

Authorized overtime is credited to an overtime bank, unless the employee and the immediate supervisor mutually agree that the overtime be paid on the employee's next regular pay cheque.

If the time is banked, employees may take it as lieu time off, at times mutually agreed to by the employee and the immediate supervisor.

For example, ten hours of overtime worked equals fifteen hours which an employee may take as paid time off at a time mutually agreed upon with their manager. Alternatively, if the employee prefers and the manager agrees, the employee could be paid for fifteen hours worth of work on their next pay date.

The overtime bank may not at any time exceed one hundred and fifty (150) hours in total. At this point, you should be paid for any additional overtime.

**Article 24:07** *Employees authorized to work overtime beyond 9:00 pm will be provided with a **taxi chit** or reimbursed for campus parking.*

**Article 24:09** *Employees who are authorized to work and who work overtime for two (2) consecutive hours or more beyond their regular hours in a work day are entitled to a **meal allowance** in the amount of **fifteen (15) dollars**. Employees who are authorized to work and who work overtime for four (4) consecutive hours or more on a day outside their regular work week are entitled to a **meal allowance** in the amount of **fifteen (15) dollars**.*

#### 4. My manager has asked me to a meeting, and I don't know what it's about. Do I have to go? When do I have a right to a Union rep?

Management has the right to meet with their staff at any time. You can't refuse to attend a meeting with your manager.

You don't have the right under the contract to a union rep in general meetings with management or meetings where you will receive a coaching letter; however, sometimes HR will allow a union rep to accompany you. If you are asked to a meeting with your manager and HR, and you feel uncomfortable about it you can ask if you're allowed to bring a union rep in a support and note-taking role. They may or may not approve.

Union reps don't have the right to attend organizational change or lay-off meetings, but they will be there immediately after your meeting to meet with you and offer information and support.

You **DO** have a right to union rep in any disciplinary meeting or civility / sexual harassment investigation (whether you are the complainant or the respondent). In these cases, HR will generally have arranged ahead of time to have a rep there for *you*. ***If you are in a disciplinary meeting and no union rep is there, you should ask for a rep.*** You are not obliged to discuss the disciplinary matter without a union representative present.

You also have the right to a union rep in return to work meetings. A union representative can assist with negotiations to ensure that your medical needs are properly addressed and/or accommodated upon return to the workplace.

#### 5. How do I know if I have a letter on my file? What can I do about it?

Management will not put a letter in your personnel file without giving you a copy. There are generally two types of letters members receive:

Disciplinary letters: these are letters which outline an issue or concern management has and states that it is disciplinary. The **four** general kinds of discipline are (from least to most severe) (1) verbal

warning with written documentation, (2) written warning, (3) unpaid suspension and (4) termination. The severity of discipline given depends on the seriousness of the transgression it addresses and whether there is already discipline in the employee's personnel file for a similar infraction(s). This is what is known as progressive discipline. These letters are removed from your file after 24 months ("sunset clause"), provided there has been no recurrence of a similar infraction. Disciplinary letters given to U of T Staff Appointed members are copied to the union.

You can grieve illegitimate disciplinary letters. We can try to have the severity of the discipline reduced or have the letter edited if there are factual errors and misrepresentation in it.

Coaching letter: these are letters which outline an issue or concern management has about your work performance and is labelled "coaching letter." They are not a step in the progressive discipline process. **These will be removed from your file after 12 months of active employment** (ie: time actually at work). It is difficult to make a viable argument for why a coaching letter is improper, but if you have good reason to believe that a coaching letter you receive contains inaccurate or misleading information, you should contact the union. Coaching letters given to U of T Staff Appointed members are not copied to the union.

The sunset clause on coaching letters is new, so if you have an old coaching letter in your file, contact your HR generalist and ask to have it removed.

You have the right to see your personnel file if you give two days' notice to the appropriate HR office. You have the right to bring a union rep if you wish.

## 6. What are personal days for? Do I have to tell my boss why I need it?

Personal days are used for those expected and unexpected things when "life happens:" caring for a sick kid, taking your parent to a medical appointment, getting a mortgage, seeing a lawyer, observing a religious holiday, moving, dealing with a flooded basement etc. Ideally, you should request them five days in advance and minimize disruption in the department, but this is not always possible.

There are four days a year which can be taken in full or half-days. They cannot be used to extend vacation or long weekends and get an extra day off; however, if the reason you need to take the day fits the definition of an appropriate need, the union's position is that it could be taken on these days.

In some departments supervisors will ask the reason for the personal day. In many cases, members don't have an issue with this. However, if this makes you uncomfortable, you should give an honest, but general, answer: family commitment, non-medical appointment, emergency situation, etc. The list in the collective agreement are examples of a personal day and is not an exhaustive list. If you are having an issue with the approval of your personal day, please contact the union for assistance.

**Article 13:12** *Such leaves shall not be used to extend vacation or long weekends.*

**13:12** *An employee may request in advance up to four (4) days or up to eight (8) half-days of paid personal leave in any year. Such requests shall not be unreasonably denied. Wherever possible, staff members shall make their need for personal leave known to their supervisor at least five (5) days in advance. Examples of personal leave include, but are not limited to, care of family members, parent-teacher interviews, school trips or concerts, stepping-in when the regular caregiver is away, the observance of religious holidays, professional appointments, court appearances, moving, supplementing a bereavement leave, writing examinations, volunteer activities, and attending to emergency situations.*

*Effective June 30, 2017 the Number of Paid Personal Leave days shall be reinstated to up to four (4) days per year.*

**13:13** *In arranging these leaves, both the best interests of the University as well as the interests of the employee shall be considered. It is anticipated that the employee will schedule leaves, where possible, so as to minimize the disruption to the operations of the employing department.*

## 7. My boss has asked me to do something that's not in my job description. Can they do that? What can I do about it?

Yes. Management has the right to determine tasks and work assignments and they are within their rights to assign this work to you. Workers have the right to refuse work that's unsafe, illegal, or completely inappropriate (going to traffic court to defend your boss's ticket, for example). If you're being asked to do something that is a real change to your job and you are unsure about it, you can ask questions and raise your concerns with your immediate supervisor; however, if they insist that you do the work, then you can't refuse without the risk of being disciplined.

If this is an ongoing change to your job, you should ask for an updated job description. If the new duties and responsibilities are at a higher level than you were doing before, you should contact the union's Job Evaluation team to see if you should consider a reclassification request.

If this is a temporary arrangement of higher duties and responsibilities (you're backfilling a vacancy or working on a short-term project) you can look into whether a one-time-only (OTO) payment would be appropriate.

You can always contact the union for information and advice on these issues.

**Excerpt from Article 4:01** *The management of the University and direction of employees are fixed exclusively with the University and shall remain solely with the University, except as specifically limited by the provisions of this Agreement. Without restricting the generality of the foregoing, it is the exclusive function of the University to:*

*c) Determine the nature and kind of business conducted by the University, the kinds and locations of equipment used, materials used, the methods and techniques of work, the hours of work, work assignments, the schedules of work, the number of personnel to be employed, classifications and the qualifications for positions, duties and responsibilities of positions, and the extension, limitation, curtailment or cessation of operations.*

## 8. When do I get a raise?

### Step Progression

Wage scales for the staff-appointed unit comprise of 20 pay bands. Each pay band contains a total of nine (9) steps, including an initial hiring rate and 8 progressive steps.

Each year, employees in the bargaining unit move up one (1) step on their assigned pay band on the anniversary of their date of hire. If you have been reclassified or have moved to a new job with a different pay band you will move up a step on the anniversary of the change.

### Across the Board Increases (ATBs)

Across the board increases are negotiated as part of your collective agreement. This increase is applied to all employees in the unit and is intended to address increases to the cost of living. ATB increases are applied to the wage scales once or twice a year, dependent upon the terms of the collective agreement.

## 9. Moving along the grid and One-Time-Only (OTO) payments

The university can, in its sole discretion, hire someone at any step on the grid. They can also move employees through the grid at an accelerated rate. The university can, in its sole discretion make lump-sum payments to employees in addition to an employee's base salary. These are called One Time Only payments and they do not add to an employee's base wage rate.

## 10. How much vacation am I allowed to carry over?

Members can carry forward the number of vacation days that they accrue in a year, plus 5 extra days without the permission of their manager. With written permission from their manager they may also carry forward 5 additional days.

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