

FEDERAL 10 SICK DAYS: OVERVIEW AND BEST PRACTICES FOR MANAGING POTENTIAL ABUSE

The federal 10 sick days policy provides a vital support system for employees, ensuring they can take time off for illness without financial repercussions. As of February 1, 2023, employees continuously employed for 30 days are eligible to accrue one sick day per month, reaching a maximum of 10 sick days per year. This policy applies to federally regulated sectors, including the trucking industry, and aims to foster healthier, more resilient workplaces.

While the policy is well-intentioned, employers may worry about potential misuse. Balancing employee well-being and operational needs requires careful implementation and oversight. Here are best practices to address concerns while maintaining a supportive work culture:

1. Foster a Trust-Based Culture

Proactively build a workplace culture based on trust and mutual respect. When employees feel valued and supported, they're less likely to misuse policies. Communicate that paid sick leave is a resource to prioritize health and well-being rather than an opportunity for exploitation.

2. Develop a Clear Sick Leave Policy

Ensure your sick leave policy is well-documented and communicated. Include:

- Eligibility requirements: Outline the initial 30 day waiting period and how days are accrued.
- Procedures: Specify how employees should report absences, including timelines and documentation requirements for extended sick leave.
- Expectations: Reinforce the importance of using sick leave for genuine health needs.

An unambiguous policy helps manage expectations and provides a reference point for addressing concerns.

3. Monitor Absence Patterns

Keep detailed attendance records to identify trends. Watch for patterns like frequent absences around weekends, holidays, or major deadlines. Use this data to initiate respectful, private conversations if misuse is suspected.

4. Conduct Private and Constructive Conversations

If you notice potential misuse, approach the situation with curiosity, not accusation. For example:

- Start with the facts: "I noticed you've been taking a lot of Mondays off recently. Is everything okay?"
- Listen actively: Employees may have legitimate personal or health reasons.
- Set expectations: Gently remind the employee of the policy's intent while addressing concerns about operational impacts and the impact on co-workers.

5. Use Progressive Discipline When Necessary

For confirmed cases of abuse, follow a progressive discipline process. Begin with verbal warnings, move to written warnings, and escalate only if the behavior persists. Document all discussions and actions to ensure consistency and fairness.

6. Offer Wellness Support

Employees may misuse sick leave due to burnout, stress, or personal struggles. Providing resources like Employee Assistance Programs (EAPs), flexible work options, or wellness initiatives can address root causes and reduce misuse.

7. Stay Compliant and Fair

While addressing abuse, ensure your actions comply with your own policies, the Canada Labour Code, and Canadian Human Rights legislation. Avoid discriminatory practices and apply your policy consistently across all employees.

By fostering trust, maintaining clear policies, and addressing concerns constructively, you can be compliant with the federal sick leave program while supporting your operations.

Resources

[Trucking HR Canada's BILL C-3- CANADA LABOUR CODE Amendments Explained and a Checklist to Support Compliance](#)

If you have any questions about ten days' paid sick leave, please contact Legacy Bowes HR Consultants at tory@legacybowes.com.