

ARBITRATION SUMMARY

Case #X71

Name: U.I. (Self-Certified Sick
Days, Special Circular
No. 34)

AAA #1339-1614-75

Arbitrator: Abram Stockman

Article IVEA

Agreement 1972-75

Issue: Do teachers have a right to 10 self certified illness days, including three personal days, even if they have to borrow them?

Facts: In November, 1974 the Board changed its policy of crediting teachers with an annual allowance of 10 sick days at the beginning of each year. From now on, it would credit teachers with one sick day for each month worked.

The union argued that this would force teachers to borrow days and therefore to obtain medical certification to receive payment for them. The Board replied that it had no intention of changing its self-certified sick day policy.

Opinion: Technically, teachers have always earned one day's sick leave for each month worked. So in this respect Circular No. 34 did not violate the agreement. However, it did violate the agreement "to the extent that it did not allow teachers to draw upon borrowable days for up to 10 days of self-certified illness or three days of personal business each year."

Award: The Board was ordered to immediately make clear to teachers that they were still entitled to 10 self-certified illness days, including three personal business days, which could be drawn from either their CAR or borrowable days.

Date: December 16, 1975