



URBAN UNIT



RURAL AND SUBURBAN UNIT



PRIVATE SECTOR UNITS

April 4, 2016

## Special Leave vs. Personal Days

There have been many questions about when members can use special leave; hopefully the following bulletin will help explain.

Clause 21.03 Leave for Other Reasons (Page 162 of the Urban Collective Agreement) says: "Where conditions warrant it, special leave with pay may be granted when circumstances not directly attributable to the employee... prevent them from reporting for duty. Such leave will not be unreasonably withheld." Article 21.03 also goes on to say that you must use all your personal days (Article 20 of the Urban Collective Agreement) before you can request special leave.

Once you have used all your personal days and you require special leave, there are steps that you need to follow. There have been many arbitration decisions about this issue and they all roughly say the same thing.

- An employee must make a reasonable effort to make other arrangements so they can report for work
- The Employer must make proper inquiries and give sufficient consideration to the request.

We realize that the forms that Canada Post has our members fill out can be intrusive, but you must give them sufficient information as to why you require special leave. If you do this and they still deny your request, contact your Local Union office and file a grievance immediately.

You will need to supply the Local with a copy of the denied leave form and the questionnaire Canada Post had you fill out.

It is a two pronged test according to arbitration law. The member must make a reasonable attempt to report for their shift and Canada Post must investigate the request for special leave and not just unilaterally deny the leave.

Canada Post supervisors are trying to say that because of personal days we no longer have special leave and that is just not true. Once you have exhausted your personal days, you are entitled to apply for special leave.

If you are an RSMC member, the RSMC Collective Agreement affords you the right to leave for other reasons, but it is unpaid (clause 19.03 or page 42 of the Agreement). Canada Post will attempt to deny this leave to Rural and Suburban members.

Please Contact your Shop Steward if you have any questions and grieve every time Canada Post violates your rights under the Collective Agreement.

In Solidarity,

Coleen Jones  
A/National Union Representative

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