



BULLETIN

## Education leave

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Education leave has always been an important part of the Agreement

by JULIO TRUJILO

#### **I thought I was entitled to Education Leave under Article 17.02 of the health science professionals agreement, but my employer tells me they didnt budget any money for it this year. Is this right?**

No it isnt right. Education leave has always been a very important part of the collective agreement negotiated between the union and the Health Employers Association (HEABC). The costs for education leave are assessed as part of your total compensation package, just as other benefits are ... such as health and welfare.

In a way, it is really no different than sick leave in two ways. First, the amount of time required for a given department is not exactly known ahead of time. Second, some individuals will use the leave and others wont in any given year. However, these types of variable expenses can be anticipated in budgetary processes using previous years and industry averages as guidelines. It would be just as fiscally irresponsible to budget \$0 for education leave as it would be to budget \$0 for sick leave for next years budget.

The education leave provision for health science professionals does contain a clause stipulating that this leave will be "subject to budgetary and operational restraints." That the budgetary and operational restraints must be *bona fide* necessities is not stated but is implicit in that wording. If an employer attempts to invoke this clause to deny a members request, the member would require proof that restraint is justified ... and that it is being applied in an equitable fashion to any other budget line item. For example, we would not consider budgeting \$0 for education leave while budgeting \$50,000 to upgrade furniture a good enough reason. These types of discussions are commonly part of the grievance procedure initiated after a request is denied. **We strongly encourage members to contact their steward and/or the HSA office whenever they are faced with a denial of an education leave request.**

#### **Is education leave a paid leave from work?**

It is partially paid by the employer up to their maximum contribution of 36 hours paid per agreement year.

The employer will pay your wages under education leave for half the time that youre attending the course (including travel time, if applicable). You are responsible for the other half, which can be unpaid or you can (more typically) use vacation or overtime banks for your portion.

#### **What about expenses like meals, accommodations, tuition, registration, course materials etc?**

Your employer will pay those expenses, but only up to a maximum of \$600 per agreement year. Note that this can also be used to pay for correspondence or distance education courses.

**It wasnt my idea to go on this course: my employer wants to send me. Do the same rules for pay and**

## **expenses apply?**

No. This is a different case and is covered by a different part of article 17, under 17.04.

If your employer asks or requires you to attend a course, this is treated as work ... not leave ... and as such, all provisions of the agreement relating to work days apply. Your employer will pay all expenses and all of your wages. The only difference is that the overtime and shift differential provisions of the agreement do not apply.

There is also a special circumstance of employerinitiated education leave that is triggered when the employer pays you 156.6 hours or more (roughly 22+ days) for attendance at an employer-approved program. In this case, you are required to work for at least one year (subsequent to the completion of your training) for that employer, or for any other employer covered by the health science professionals agreement.

**Similar provisions apply for registered psychiatric nurses covered by the provincial nurses agreement. If you are covered by the community social services, community health, or other HSA agreement, contact your steward or the union office for more information.** 

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