

**JOINT COMMUNICATION – JULY 9, 2020**  
**Resident Physician Questions Re: Covid-19**

In general, it is the intention of the Parties to the Resident Physician Agreement to continue to apply the terms and conditions of the Resident Physician Agreement during the Covid-19 pandemic. Any variation from the terms of the Resident Physician Agreement will only be done by agreement from all parties.

**Vacation Cancellations**

1. Does AHS have an official policy regarding vacations during the pandemic? Are all vacations being cancelled?

Vacation is an important benefit for Resident Physician wellbeing and to the extent possible, we are encouraging Resident Physicians to take their vacations as scheduled; regardless of how their personal plans may have changed. In exceptional circumstances whereby vacations need to be cancelled in order to support critical services, it is recommended that the vacation be rescheduled within the Appointment Year if possible rather than cancelled. If a decision is made to cancel vacations to meet critical service requirements, Resident Physicians will be reimbursed for any non-refundable expenses that they have incurred for the vacation period. If vacations are cancelled and cannot be rescheduled, then the vacation payout provisions of the Resident Physician Agreement will apply. For the sake of clarity, an Appointment Year refers to the time period each Resident Physician spends at each postgraduate level as defined by the Letter of Engagement, and is the time period used when tracking vacation entitlements.

**Vacation Scheduling**

2. For Resident Physicians scheduled to take vacation between March 15 and June 30, what will happen?

It is recommended that Resident Physicians take vacation as scheduled unless they are requested to cancel in order to meet critical service requirements Note: Vacation payout may not be possible if a Resident Physician has unilaterally cancelled scheduled vacation or has not requested vacation. Off-cycle Resident Physicians whose Appointment Year does not end with the Academic Year on June 30<sup>th</sup> may have more time to plan the remainder of their vacation.

### **Vacation Payout**

3. During Covid-19, many Resident Physicians might not be even considering requesting vacation due to their understanding of service requirements. This will mean that there will be no written record of vacation being requested and denied, which is one of the requirements in order to demonstrate that the Resident Physician was unable to take vacation and is therefore entitled to have unused vacation paid out. Does this change during the pandemic?

Because we are recommending that vacations be taken as scheduled or planned, Resident Physicians should continue to request vacation in accordance with the processes of the Resident Physician Agreement. Unless there are extenuating circumstances for individual situations, vacation payouts will not be approved if there is no record of the vacation being requested and denied or cancelled by AHS to meet critical service needs.

### **Vacation Carry Over**

4. If vacations are cancelled and/or not being approved, will all the unused vacation be paid out? Can it be carried forward into next year, even though carry forward is no longer in the Resident Physician Agreement?

It is our intention to continue to apply the terms and conditions of the Resident Physician Agreement during Covid-19. As a result, any unused vacation that was requested in writing and denied or cancelled to meet critical service needs, will be paid out.

### **Flex Days**

5. Can unused Flex Days be paid out or carried over into the next year if the Resident Physician was unable to utilize them due to the pandemic?

The four flex days provided in the Resident Physician Agreement are available to be used throughout each Appointment Year. There is no provision for Flex Days to be paid out or carried forward into the next Appointment Year if not used, so if they are not used, they are essentially lost. If a Resident Physician was unable to utilize requested Flex Days during Block 12 due to being redeployed or working in an essential area during the pandemic, the Resident Physician is encouraged to discuss scheduling remaining Flex Days with their Program Director.

## Sick Leave and WCB

6. If a Resident Physician is required to be away from the workplace due to Covid-19, does this time count towards the 90 days of sick leave they are entitled to each year?

The following applies to all AHS employees including Resident Physicians.

- All Covid-19-related absences will be eligible for sick leave, subject to having sick time available. This will include individuals who are symptomatic, required to self-isolate, or who have tested positive for Covid-19.

Workplace Exposure:

- If the Resident Physician is symptomatic or asymptomatic with a positive test result due to a workplace exposure, this should be reported through My Safety Net. Workplace Health & Safety will oversee the reporting and investigation process, and the Resident Physician would be eligible to receive WCB benefits. In accordance with Article 31 of the Resident Physician Agreement, the Resident Physician would then continue to receive their regular salary through AHS, provided they assign their WCB benefits over to AHS.

What happens if the Resident Physician does not have sufficient paid sick leave to cover a symptomatic absence related to a non-workplace exposure?

As with any sick time, if the Resident Physician does not have enough days left in their sick leave to cover the absence, then they would be eligible to apply for Employment Insurance (EI) – either regular EI sick leave benefits, or the Canada Emergency Response Benefit. EI has waived the waiting period for benefits during the pandemic.

## Benefits:

7. **(a) Residents in their Final Year:** Given that many of the service providers such as dentists, physiotherapists, etc. have been closed during the pandemic and are therefore not available to be used by Resident Physicians, is it possible to extend the time period for Resident Physicians who are in their final year of residency to utilize Health, Dental and their Flexible Spending Account (FSA) benefits beyond June 30<sup>th</sup>?

**(b) Resident Physicians returning for 2020-21:** Is it possible to increase the annual health and dental maximums in order for them to complete claims that were delayed due to Covid-19?

## Health & Dental Benefits:

AHS is unable to increase the health and dental maximums for 2020-21 academic year nor extend coverage past June 30<sup>th</sup> for Resident Physicians in their final year.

Many of the health care vendors are offering virtual support and billing so Resident Physicians should first follow up with the vendors that they would use (e.g. Physiotherapy or Psychotherapy) to see if a virtual option is available. Further, it looks like many of these services will be phased back in before the end of June.

We have set up the following process with Human Resources Shared Services (HRSS) for those situations where someone could not attend an appointment due to closures from COVID.

The first step will see the Resident Physician contacting the Human Resources Contact Centre (HRCC). From there, HRSS will verify the request for exception is due to missed appointments. They will also record key demographic information along with reason for exception request, as this will need to be logged.

This should only be for claims and treatment that would have been between March 17, 2020 and June 30, 2020.

HRCC Contact information:

Monday to Friday (excluding holidays) 6:00 a.m. to 8:00 p.m. toll free at 1-877-511-4455 to speak to an agent; or email [HRContactCentre@ahs.ca](mailto:HRContactCentre@ahs.ca).

Once the Resident Physician is able to attend the appointment or treatment, they are to contact the HRCC and submit the receipts paid for treatments directly to the HRCC. HRSS will collect and track them and then forward them to AHS Employee Benefits and Retirement Programs (EBRP) to facilitate reimbursement by Blue Cross.

In the case of all exceptions, the Resident Physician will need to pay out of pocket and submit receipts for reimbursement through HRCC (to EBRP to Blue Cross). This is not a guarantee that the receipts would be paid as some vendors are able to continue treatments virtually. When the receipts are sent in will still determine if the expense is allowable.

**Flexible Spending Account (FSA)**

Resident Physicians in their final year – Historically, CRA tax regulations prevented AHS from extending the FSA beyond when a Resident Physician concludes their residency on June 30, 2020. CRA has amended their regulations to provide a six-month extension for utilization of FSA credits which would otherwise have been forfeited on June 30, 2020. Resident Physicians in their final year are being provided with a new Blue Cross benefit cards that will enable them to continue to make claims under their FSA until December 31, 2020.

Resident Physicians who are not in their final year of residency, have the ability to carry their July 1, 2019 – June 30, 2020 FSA credits over until June 30, 2021. If a Resident Physician has unused flex

credits that would normally have been forfeited on June 30, 2020 (i.e. carried forward from the July 1, 2018 – June 30, 2019), CRA has extended the period for utilizing these credits until December 31, 2020. Normal processes apply for submissions of these claims.

## Remuneration

### 8. In-House Call

The recently agreed upon Guidelines for Exceptions to In-House Call Maximum Limits allow for the call maximums under the Resident Physician Agreement to be increased by one additional in-house call during a single block, how will this additional call be paid?

An additional in-house call that exceeds the Agreement maximums will be paid for in accordance with Article 35.05 of the Agreement (\$118.02 for week days and \$178.72 for weekends and named holidays). For clarity, in-house call stipends shall be paid for any form of in-house call coverage lasting twelve (12) hours or more, of which one (1) full hour is after 2400 hours and before 0600 hours. In-house call rate for weekends, Named Holidays, Christmas Day, Boxing Day, and New Year's Day shall apply to on-call shifts that commence after 0500 hours on Saturday, Sunday, Named Holidays, Christmas Day, Boxing Day, and New Year's Day.