

4001: GUIDELINES FOR MANAGING EMPLOYEE MEDICAL CERTIFICATES AND RELATED DOCUMENTS (AP)

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POLICY

The Board of Education generally considers employee medical information as sensitive personal information. As a result, employees have a right to expect that such information will be treated confidentially. With a higher degree of privacy protection than is required for less sensitive human resources information.

These guidelines are intended to strike a balance between the School District needs to collect, use and disclose employee medical information for legitimate work related purposes and employees' right to such information.

REGULATIONS

1.0 EMPLOYEE CONSENT

- 1.1 Authorization for gathering medical certificates should be obtained from an employee in advance. The medical certificate forms utilized in the District contains a section for the employee's written consent for the completion of the form.
- 1.2 The purpose for which the medical certificate information will be used may include establishing eligibility for benefits, fitness to work and accommodation requirements.
- 1.3 Failure to provide timely consent could affect the employee's eligibility for sick leave benefits.

2.0 USE OF MEDICAL CERTIFICATES AND RELATED DOCUMENTS

- 2.1 Access to and use of employee medical certificates and related documents will be managed by Superintendent or designate, and will be limited to those individuals who have a responsibility to manage health related absences, to administer benefits and related sick leave, disability or income replacement programs.

- 2.2 Employees working with this information will be instructed regarding appropriate practices and procedures set out in this policy relating to the handling of such information to ensure confidentiality.

3.0 PROTECTION OF EMPLOYEE MEDICAL CERTIFICATES AND RELATED DOCUMENTS

- 3.1 While such information forms part of the personnel record, medical certificates and related documents will be kept in a discreet file, accessible only to those with a responsibility, which requires access to the information.
- 3.2 Due to the sensitivity of such information, reasonable and appropriate safeguards will be used to secure this information against unauthorized access collection, use, disclosure or disposal including the use of a sealed envelope within the employee's discreet medical file.

4.0 EMPLOYEE ACCESS TO MEDICAL INFORMATION

- 4.1 In accordance with Section 4 of the FOIPPA, an employee wishing access to the confidential file containing medical information and related documents may do so in the company of the Superintendent or designate. The employee needs to apply in writing.

5.0 SAFETY EXCEPTION TO ACCESS

- 5.1 Any health professionals report, or opinion, about an employee is the individual employees' personal information. However, in some circumstances, the release of information to an individual may be refused where the information may be harmful to that person or a third party (e.g. where there is concern that the individual is dangerous to themselves or others). Refer to Section 19 or FOIPPA.