

No Sick Pay for Colonoscopy that Is Not Medically Necessary



A hospital refused sick pay under a short-term disability plan to an employee for the day he missed work to have a colonoscopy. The collective agreement said benefits would be paid only “when you become totally disabled as a result of injury or illness.” Although both sides agreed that the employee was totally disabled for the day, the hospital claimed that the employee wasn’t ill or injured and that the colonoscopy procedure was not medically necessary. The arbitrator agreed and dismissed the grievance [*MIC’s Group of Health Services v Ontario Nurses’ Association*, 2015 CanLII 65263 (ON LA), Oct. 15, 2015].