(Scenario A - If the person is still an employee at the time he or she is certified by a competent authority as being ready to return to work, his or her position has not been back-filled on an indeterminate basis and its duties have not changed to the point that it is a new position and she/he able to perform duties of her/his position, the employee simply returns to the position. No appointment is needed and the priority entitlement is not required. **Do not use this letter as there is no priority entitlement.**)

(Scenario B - If the restriction is such that the employee cannot perform duties of her/his position and that a competent authority has certified that the employee is ready to return to work, **please use this letter to confer the priority entitlement.** Prior to issuing this letter, the manager is to obtain advice and guidance from an HR Advisor by submitting a request with the [HRSC](http://hrsc-csrh.prv/).)

(Scenario C – If the position has been back-filled on an indeterminate basis during the leave, the manager is to obtain advice and guidance from an HR Advisor by submitting a request with the [HRSC](http://hrsc-csrh.prv/).)

Protected B (when complete)

(Insert date)

(Insert employee first and last name)

(Insert directorate)

SUBJECT: EMPLOYEE WHO BECOMES DISABLED – PRIORITY ENTITLEMENT

|  |  |  |
| --- | --- | --- |
| Position Title | : |  |
| Group and Level | : |  |
| Position Number | : |  |  |
| Branch | : |  |
| Directorate | : |  |
| Position Location | : | City Province |
| Designated Work Location | : | Only when applicable (e.g. complete physical address of telework, virtual work, alternate workplace) |
| Cost Center | : |  |
| National ID (PRI) | : | XXX-XXX-XXX |

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Dear (First name),

This letter serves to confirm you have met the following conditions for an ‘employee who becomes disabled’ priority entitlement:

1. You were declared disabled by a disability compensation provider;
2. The initial request for disability benefits was made when you were still an employee as defined by the *Public Service Employment Act* (PSEA);
3. As a result of your disability, you are no longer be able to carry out the duties of your substantive position;
4. Within five (5) years after the day on which you became disabled, you were certified by a competent authority to be ready to return to work on the day specified by the authority; and
5. The day specified is within five (5) years after the day on which you became disabled.

Section 7 of the *Public Service Employment Regulations* (PSER) states that: An employee who becomes disabled and who, as a result of the disability, is no longer able to carry out the duties of their position is entitled to appointment in priority to all persons, other than those referred to in sections 39.1 (1), 40 and 41 of the PSEA, to any position in the public service for which the Commission is satisfied that the employee meets the essential qualifications referred to in paragraph 30(2)(a) of the Act.

Your ‘employee who becomes disabled’ priority entitlement will (Insert begin on/began on insert date) and ends on the earliest of:

1. The day that is two years after the day on which the entitlement period begins (Insert date);
2. The day on which you are appointed to a position in the public service for an indeterminate period; and
3. The day on which you decline an appointment to a position in the public service for an indeterminate period without good and sufficient reason.

If you accept a specified period appointment while in priority status, your priority entitlement will continue until you are appointed for an indeterminate period or until the priority period ends, you resign or are released, whichever occurs first.

If you accept an indeterminate appointment to a lower level position while in priority status, in accordance with section 10 of the PSER, you will become entitled to a regulatory reinstatement priority for a period of one (1) year. Your regulatory reinstatement priority entitles you to appointment in priority to all persons, other than those referred to in sections 39.1 (1), 40 and 41 of the PSEA, to any position in the public service for which you meet the essential qualifications and that is of a level that is not higher than the position you held immediately before the appointment or deployment. Please note that there are no provisions for salary protection in the case of an appointment to a lower-level position under the employee who becomes disabled priority entitlement.

The Department, working with the Public Service Commission, will make every effort to place you in a position at your original level or equivalent. (Insert the following for full registrations only) If you have not already done so, please sign the attached consent form stating your willingness to have your personal information entered into the Priority Information Management System (PIMS) of the Public Service Commission and return it to (Insert name), HR Advisor.

Your HR Advisor will initiate the registration process in PIMS. It will then be your responsibility to complete the registration process in the Priority Portal. Please note that you will not be referred for positions until you have completed your registration.

Should you be eligible to both the return from leave of absence and the employee who becomes disabled priority entitlements, the two (2) priority types run concurrently but the leave of absence priority will be displayed in PIMS, as this is the higher of the two priority entitlements. The file will be annotated to show the disabled priority entitlement continues.

If during your employee who becomes disabled priority entitlement, you relapse and qualify again for disability insurance, then the cycle starts all over again – you will have another five (5) years in which to be declared fit to return to work, and once so declared, another two (2)year priority entitlement would start. If during your priority entitlement, you relapse and are not found qualified for disability insurance, then the existing two (2) year priority entitlement would continue.

For more information on priority entitlements and your responsibilities as a person with a priority entitlement, please refer to the PSC Guide on Priority Administration at the following website: <https://www.canada.ca/en/public-service-commission/services/information-priority-administration/public-service-commission-guide-priority-administration.html>.

While you are on leave without pay, you must continue to abide by the [Values and Ethics Code for the Public Sector](https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25049) and the [Policy on Conflict of Interest and Post-Employment](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25178&section=text).

Please be reminded that Federal Public Service employees wishing to engage in political activities must respect the requirements set out in Part 7 of the *Public Service Employment Act* (PSEA). As such, you have the right to engage in political activities while maintaining the principle of political impartiality in the public service. For more information about your legal rights and responsibilities regarding political activities, please contact your organization's Designated Political Activities Representative (<https://www.canada.ca/en/public-service-commission/services/political-activities/designated-political-activities-representatives-organizations-subject-political-activities-provisions-public-service-employment-act.html> ) and consult the Public Service Commission's Political Activities Web site at:
<https://www.canada.ca/en/public-service-commission/services/political-activities.html>.

For questions regarding your compensation and benefits, please contact the Public Service Pay Centre: <https://www.tpsgc-pwgsc.gc.ca/remuneration-compensation/services-paye-pay-services/paye-centre-pay/index-eng.html>. Please note that they should also be notified of any address change which occurs during your leave.

For further information, you may also visit the compensation/services-pension internet site: <http://www.tpsgc-pwgsc.gc.ca/remuneration-compensation/services-pension-services/pension/cn-cu-eng.html>.

During the period of your priority for appointment, it is essential that you ensure your personal records, including your contact information, are up-to-date (Insert the following for full registrations only and that you advise your department and the Public Service Commission of any of these change).

Should you require further information regarding your priority entitlement, please contact (Insert name of HR Advisor), at (Insert telephone number).

Sincerely,

(Signature)

(Name and title of staffing sub-delegated manager)

cc: Public Service Commission

 HR Advisor

Attachment: [Privacy Consent Form for Priority Persons](https://www.canada.ca/content/dam/canada/public-service-commission/migration/prad-adpr/guide/cnf-eng.pdf)