



## REG - 80.02.12 - SICK LEAVE POLICY

Authority: Chancellor

Responsible Office: Human Resources

Number: REG - 80.02.12 - SICK LEAVE POLICY

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Related Policies/Sources: [Office of State Human Resources Manual Section 5 Page 106](#), [Office of State Human Resources Manual Section 5 Page 123](#), [Office of State Human Resources Manual Section 5 Page 29](#),

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### 1. Policy

The purpose of this policy is to provide uniform guidelines for the accrual, use, and final disposition of sick leave.

### 2. Scope and Sick Leave Credits

2.1 All EHRA Non-Faculty and SHRA employees holding permanent, probationary, trainee and time-limited appointments are entitled to sick leave at the accrual rate of 8 hours per month as long as the employee is in pay status for more than half of the work month. Temporary, intermittent, or part-time (less than halftime) EHRA Non-Faculty and SHRA employees do not accrue sick leave and are not covered under this policy. Part-time (half-time or more) permanent, probationary, trainee and time-limited employees are eligible for leave at a prorated amount.

2.2 *Note: Vacation leave in excess of 240 hours (prorated for part-time employees) on December 31 of each year shall be converted to sick leave.*

### 3. Accumulation

Sick leave is cumulative indefinitely.

### 4. Advancement

Management may, with the approval of the Department of Human Resources, advance sick leave. However, advanced sick leave is not to exceed the total sick leave the employee can accrue during the current calendar year.

## **5. Verification**

To avoid abuse of sick leave privileges, a statement from a medical doctor or other acceptable proof may be required. Evidence to support leave for adoption-related purposes may be required.

## **6. Leave Charges**

Sick leave shall be taken and charged in units of time appropriate and consistent with the responsibility of managing absences in keeping with operational needs. Only scheduled work time shall be charged in calculating the amount of leave taken.

## **7. Continuous Sick Leave Benefits**

When exhausting leave an employee continues to accumulate leave, is entitled to holidays and is eligible for salary increases during that period.

## **8. Transfer of Sick Leave**

### **8.1 Transfer of Sick Leave Table**

#### **8.1.1 When an employee transfers from:**

8.1.1.1 State SHRA to SHRA, then, sick leave shall be transferred

8.1.1.2 State SHRA to EHRA, then, sick leave may be transferred subject to the receiving agency's approval. If EHRA is non-leave earning, sick leave may be transferred and held for future use should employee transfer back to SHRA or it may be applicable toward retirement.

8.1.1.3 State EHRA to SHRA, then, sick leave may be transferred subject to receiving agency's approval.

8.1.1.4 State Agency to Public School, Community College, Technical Institute, Local Mental Health, Local Public Health, Local Social Services, Local Emergency Management, then, sick leave may be transferred subject to receiving agency's approval.

8.1.1.5 A local agency listed above to a State agency, then, sick leave may be transferred subject to receiving agency's approval.

## **9. Use of Sick Leave**

### **9.1 Sick leave may be used for:**

9.1.1 Illness or injury.

9.1.2 Medical appointments.

9.1.3 Temporary disability due to childbirth.

9.1.4 The care of an immediate member of the family (including care for mother during temporary disability).

9.15 Death in immediate family.

9.16 Donations to a member of the immediate family who is an approved voluntary shared leave recipient.

9.17 Adoption of a child, limited to a maximum of 30 days for each parent (which is equivalent to a biological mother's average period of disability).

9.1.7.1 *Note: This is interpreted to mean at the time of physical possession of the child and have either adopted or are in the process of adoption.*

9.1.7.2 *Advisory Note: If an employee does not have sufficient leave to cover a prolonged illness (of self or to care for a parent, child, spouse, or dependent living in the household who has a prolonged illness), the employee may qualify to receive voluntary shared leave. See the Voluntary Shared Leave Policy.*

## **10. Definition of Immediate Family**

10.1 Immediate Family is represented as follows:

10.1.1 Spouse = Husband, Wife

10.1.2 Parent (Mother/Father) = Biological, Adoptive, Step, Loco Parentis\*, In-Law

10.1.3 Child (Daughter/Son) = Biological, Adoptive, Foster, Step, Legal Ward, Loco Parentis\*  
In-law

10.1.4 Brother/Sister = Biological, Adoptive, Step, Half, In-law

10.1.5 Grand/Great = Parent, Child, Step, In-law

10.1.6 Dependents = Living in the employee's household

10.1.7 *Note: \*Loco Parentis is a person who is in the position or place of a parent.*

## **11. Leave Without Pay for Extended Illness**

11.1 If an employee, or the employee's child, parent or spouse, has a serious illness that qualifies under the Family and Medical Leave Act, the provisions of that policy shall be followed. (The FMLA Policy follows the Sick Leave Policy.)

11.2 If the illness does not qualify for the FMLA, the provisions of the Leave without Pay Policy shall be followed.

## **12. How to handle sick leave upon separation and reinstatement**

12.1 Separation

12.1.1 Unused sick leave shall:

12.1.1.1 Not be paid in terminal leave

12.1.1.2 Be entered on PD-105 separation, and

12.1.1.3 Be deducted from final salary check in one-tenth hour units if overdrawn.

12.1.1.4 *Note: (See exceptions for exhausting sick leave below.)*

12.1.2 Unused sick leave may:

12.1.2.1 Be applied toward retirement if eligible to retire within five years. See retirement credit below.

12.2 Reinstatement

12.2.1 Unused sick leave shall:

12.2.1.1 Be reinstated when employee returns from authorized leave without pay

12.2.1.2 Be reinstated when employee returns within five years from any type of separation.

12.2.2 Unused sick leave shall:

12.2.2.1 Be reinstated when an employee returns to State employment within five years of employment with a local government\*, public school, community college, or technical institute.

12.2.3 *Note: \*Social Services, Mental Health, Public Health, and Emergency Management*

12.2 Exceptions:

12.2.1 If an employee is exhausting approved sick/vacation leave for medical reasons and resigns or dies before returning to work, the date separated shall be the date the employee resigns or dies. This is subject to the approval of the Department of Human Resources.

12.2.2 If an employee gives notice of a resignation and becomes ill, the employee may exhaust sick/vacation leave up until the date of the resignation. The date separated will be the date of resignation. This is subject to the approval of the Department of Human Resources.

### **13. Retirement Credit**

One month of credit is allowed for each 20 days, or any portion thereof, of sick leave to an employee's credit upon retirement.

### **14. Sick Leave Records**

14.1 The Department of Human Resources shall:

14.1.1 Maintain annual records of sick leave for each employee.

14.1.2 Balance leave records at least at the end of each calendar year.

14.1.3 Notify employees of leave balances at least once each year.

14.4.4 Retain leave records for all separated employees for a period of at least five years from date of separation.

### **15. Leave Offsetting**

Hours worked in excess of the employee's established work schedule must be used to offset sick leave used in the same overtime period. Leave will be restored to the employee's balance for later use.