

## SICK LEAVE

I. Definition

Sick leave is a benefit available to University employees who are employed half-time or greater and on at least a nine-month appointment period. Paid sick leave is not granted as vacation leave and can be used only when: (1) the employee is unable to perform the employee's regular duties because of sickness or injury or (2) for treatment by or consultation with a licensed health care provider.

Sick leave may also be granted to employees due to the death or serious illness of a member of the employee's immediate family. Immediate family shall mean the employee's parent, sibling, spouse, child, grandparent, grandchild, in-law, or any individual acting as a parent or guardian of the employee.

II. Requests for Sick Leave

An employee shall be required to furnish to his or her supervisor a certificate from an attending health care provider for five or more consecutive days of sick leave and may be required to furnish a certification for purposes of the Family and Medical Leave Act (FMLA) for a serious health condition that continues for three or more consecutive days. An employee may also be required to provide a medical certification for other absences under a campus, division or unit attendance policy reviewed by the Office of General Counsel. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a physician's certificate.

Each campus, division, or unit is authorized to establish and enforce policies requiring employees to make timely notification to supervisors in the event that unscheduled sick leave is required, and regarding return-to-work procedures.

Requests for sick leave shall be submitted in advance, unless the circumstances make this impracticable. In that event, a request for sick leave must be submitted within two days after the employee returns to work.

III. Sick Leave Accrual

An eligible, full-time (100%) employee accrues sick leave at the rate of eight hours for each complete month of service, up to a maximum annual carryover of 960 hours. Eligible employees working less than full time accrue sick leave in the same proportion to time worked.

Sick leave may not be accumulated during a leave without pay when such leave totals

ten or more days within a calendar month.

When an employee is laid off due to budgetary reasons or curtailment of University activities and within six months again becomes an employee of the University, accrued sick leave may be restored to his/her credit.

#### IV. Use of Accrued Sick Leave

##### A. General

Sick leave is granted on a basis of work days and not calendar days. It is deducted from the employee's accrued sick leave in increments of not less than one-fourth hour. Non-workdays such as weekends and holidays falling within a period of sick leave are not charged as sick leave.

Sick leave may be granted only for a period when the employee is in an appointed status. For academic employees on less than a 12-month appointment, sick leave that begins during the Spring Semester shall not extend into the Summer Session and may resume in the Fall Semester if the employee is otherwise eligible for sick leave and has received a benefits eligible appointment for the Fall Semester.

Absence due to illness or disability, except in case of leave for pregnancy or maternity related health conditions, is charged in the following order:

- (1) Earned Sick Leave
- (2) Earned Annual Leave
- (3) Leave Without Pay

##### B. Worker's Compensation and FMLA

An employee who is absent from work due to a temporary occupational injury or illness and who is entitled to Worker's Compensation Benefits may, upon proper application, utilize the employee's accrued sick leave as a supplement to Worker's Compensation so as to receive weekly benefits from both sources equal to but not in excess of the employee's normal weekly pay at the time of the injury or onset of illness. This option, when exercised, will reduce the employee's accrued sick leave on a basis proportional to the sick leave pay being claimed. An employee receiving Worker's Compensation benefits for a permanent disability is also eligible to utilize accrued sick leave.

Sick leave shall run concurrently with leave taken under the Family and Medical Leave Act.

##### C. Maternity Related Health Conditions

Sick leave may be taken for pregnancy and maternity related health conditions and

will be treated as any other leave for sickness or disability except that: (1) no healthcare provider certification will be required for the first four weeks following the birth of the child, and (2) the employee taking leave for a pregnancy or maternity related health condition may elect to take leave of absence without pay without exhausting accumulated annual and sick leave. Upon return from leave the employee will be given the same or comparable position to the one she occupied prior to the leave. The employee is expected to give her supervisor as much notice as possible prior to beginning maternity related leave, and at least two weeks' notice prior to returning to work from maternity related leave. Both notices must be in writing.

V. Payment for Accrued Sick Leave at Retirement

In compliance with Arkansas Code 21-4-501, classified employees who retire from the University are eligible for payment of a portion of accrued sick leave in the employee's final pay. For the purpose of determining eligibility for accrued sick leave payout, classified employees whose employment is voluntarily terminated will be considered to have retired when: (1) as of the date of termination the sum of the employee's age and continuous years of service with the University is at least seventy (70) and immediately prior to termination the employee has completed ten (10) or more consecutive years of service with the University; (2) as of the date of termination the employee is age 65 or older and immediately prior to termination has completed five (5) or more consecutive years of service with the University; or (3) the employee has retired under an early retirement agreement approved by The Board of Trustees of the University of Arkansas.

Academic and non-classified employees who retire receive no payment or other compensation for accrued sick leave.

Temporary Provisions

1. *This policy supersedes and replaces the sick leave policies set out in Board Policies 420.1 and 420.2.*
2. *The standard for determining eligibility for accrued sick leave payouts to Classified employees in Section V. of the policy is effective June 30, 2019.*
3. *Those 2-year campuses that currently pay academic and non-classified employees for accrued sick leave, may continue doing so until June 30, 2019.*
4. *For those campuses with current practices not consistent with this Policy, the President may make individual exceptions, through December 31, 2019, for final pay of accrued sick leave for retiring employees.*