

Davis Technical College

Sick Leave Policy

Effective Date: October 1, 2014

Board Approval: 27 May 2004

Revised Board Approval: 25 August 2005

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1. Purpose

To provide guidelines for the Davis Technical College (College) employee benefits for sick leave.

2. References

- 2.1. Board of Regents Policy and Procedure R821, Employee Benefits
- 2.2. Davis Technical College Family Medical Leave Policy
- 2.3. Davis Technical College Leaves of Absence Without Payment Policy
- 2.4. Davis Technical College Vacation Leave Policy and Procedures
- 2.5. Davis Technical College Early Retirement Incentives Policy

3. Definitions

3.1. Immediate Member of the Family - For the purposes of this Sick Leave Policy only, the phrase, "an immediate member of the family," includes husband, wife, son, daughter, father, mother, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandfather-in-law, and grandmother-in-law. (Exceptions that may be considered by the Administration are those who have virtually held the position of an immediate member of the family.)

4. Policy

4.1. General - Sick leave is a fringe benefit program which the College maintains to provide compensation to personnel during periods of personal illness or illness of an immediate member of the family. As used with reference to sick leave, illness means temporary inability to discharge the duties of employment as the result of the mental or physical injury, sickness, or incapacity of the employee, or an immediate member of the family of the employee, and includes pregnancy, or other conditions related to pregnancy.

4.2. Authorized Uses

- 4.2.1. Personal sick leave may be taken for illness experienced by the College employee.
- 4.2.2. Sick leave may be taken by a College employee to care for an immediate member of the family with an illness who has no other means of care.
- 4.2.3. In cases where dental and medical appointments take place during regular working hours, the time used for those appointments may be charged to sick leave.
- 4.2.4. Application may also be made for certain types of leave without pay under the Family Medical Leave Policy.

4.3. Accrual of Sick Leave Credits - Full-time (40 hours per week), benefitted, 12-month employees will be considered eligible for the purpose of this policy. They will accumulate sick leave credits at the rate of one day (eight hours) for each month of continuous service (3.69 hours per two week pay-period), or twelve days (96 hours) per year. Full-time (40 hours per week), salaried nine-month Faculty accumulate sick leave credits at the rate of ten days (80 hours) per year (3.08 hours per two week pay-period). Part-time, salaried employees working at least 30 hours per week accumulate sick leave credits on a pro-rated basis.

4.4. Maximum Carryover - Unused sick leave hours will accumulate continuously up to the maximum allowable accrual amount of 800 hours. Upon reaching a balance of 800 hours the employee will not accrue additional hours until the balance drops below 800. Employees hired prior to July 1, 2014 who have an accrued balance greater than 800 hours will retain their accrued balance but will not earn additional hours until their balance drops below 800 hours.

4.5. Substantiation of Illness - The College reserves the right to require substantiation of all illness charged to sick leave. Evidence of bona fide illness or other reason for taking sick leave in the form of a certificate of illness or reason for sick leave may be required by the employee's supervisor whenever there are reasonable grounds to believe the employee is malingering or abusing sick leave privileges. Abuse of sick leave privileges may result in disciplinary action, up to and including termination.

4.6. Separation From Employment - Upon an employee's separation, if a negative balance exists, the negative amount may be deducted from the employee's regular salary and/or wages amount on the final paycheck.

4.7. Sick Leave Advance - Employees who exhaust their accumulated sick leave may request an advance of sick leave credit, but not to exceed 5 days. If such credit is granted, the requesting employee must pay back the number of days during the following 2 years by deducting days from unused accumulated sick leave. For employees who use sick leave credit and who cease employment, sick leave credit must be returned in cash and may be withheld from the employee's final paycheck.

4.8. Sick Leave Conversion - Employees are eligible for an annual conversion of up to four days (32 hours) of accrued sick leave to vacation provided the following limitations are met:

4.8.1. Converting sick leave to vacation leave requires an accumulated base of 18 days (144 hours) of unused sick leave by June 30. Conversion is then determined from the number of unused sick leave days accumulated during the next fiscal year beginning July 1.

4.8.2. Employees who use fewer than four days sick leave (32 hours) will convert unused sick leave to vacation leave as follows:

4.8.2.1. If 0 days (0 hours) of sick leave were used, four days (32 hours) will be converted to vacation. For an employee who earned 12 sick leave days in a year, this would leave 8 days (64 hours) retained in sick leave balances.

4.8.2.2. If 1 day (8 hours) of sick leave was used, 3 days (24 hours) will be converted to vacation. For an employee who earned 12 sick leave days in a year, this would leave 8 days (64 hours) retained in sick leave balances.

4.8.2.3. If 2 days (16 hours) of sick leave were used, 2 days (16 hours) will be converted to vacation. For an employee who earned 12 sick leave days in a year, this would leave 8 days (64 hours) retained in sick leave balances.

4.8.2.4. If 3 days (24 hours) of sick leave were used, 1 day (8 hours) will be converted to vacation. For an employee who earned 12 sick leave days in a year, this would leave 8 days (64 hours) retained in sick leave balances.

4.8.2.5. If 4 days (32 hours) of sick leave were used, the employee is not eligible for the sick leave conversion.

4.8.2.6. If only partial days are used for sick leave, the total number of hours up to 32 hours eligible for conversion will be converted, leaving 8 days (64 hours) retained in sick leave balances.

4.8.3. Converted sick leave days (hours) will be added to the vacation leave balance starting July 1. Days converted to vacation will be treated as regular vacation time. Accordingly, vacation days will be available as a payout upon separation of service, but conversion of sick leave days does not increase the maximum allowable limits on vacation accrual.

4.8.4. Sick leave conversion is automatic. Employees who do not wish to convert sick leave to vacation must contact the Human Resource Office prior to July 1 of each year.

4.9. Catastrophic Sick Leave Bank - The College has established a catastrophic sick leave bank from which eligible employees may draw leave under the conditions and restrictions outlined below.

4.9.1. Contributions to Catastrophic Sick Leave Bank - Employees who wish to contribute to the catastrophic sick leave bank program may contribute one (1) day per year of their accumulated sick leave to the bank. This contribution must be made prior to the annual designated deadline by submitting a request to the Human Resources/Payroll Office. Days contributed to the catastrophic sick leave bank will not be counted as days used during the year when calculating the annual sick leave conversion limits. Except as described below, employees may not request reimbursement of donated sick leave days. Contributed sick leave days which are unused at the time an employee terminates his/her employment with the College will be removed from the catastrophic sick leave bank.

Eligibility - Only benefitted employees with at least one full year of employment, who have contributed to the bank as outlined and who have depleted their sick leave, vacation, and personal leave balances plus all available advanced sick leave, shall be eligible to receive consideration for sick leave from the bank. To be eligible to receive consideration for sick leave from the bank, an employee must either:

4.9.1.1. Contribute to the bank during the year in which they make a request for consideration; or,

4.9.1.2. Contribute at least three days to the bank during any years including, or prior to, the year in which they make a request for consideration. Contributing three or more days to the bank does not guarantee that days will be available in the bank at the time the employee makes a request for consideration.

4.9.2. Requests for Use - All requests for sick leave from the bank must be in writing and must be addressed to the Director of Human Resources. Requests may be submitted and approved anytime. The requests must include the reasons for the requests, written verification from the employee's physician indicating the nature and severity of the illness or health problem along with the projected recovery date, and the number of sick leave days requested.

4.9.3. Criteria for Consideration - Only severe, extended illnesses and catastrophic medical problems of an employee will be considered for leave withdrawals from the bank. Illnesses or medical problems of a short-term nature shall not be considered. Life-threatening illnesses or severe accidents requiring extended recovery periods will be given first priority. Withdrawals from the bank shall only be considered for purposes related to the employee's own illness or medical problem. The decision to award sick leave from the bank will be made by the College President or his/her designee.

4.9.4. Maximum Use - Withdrawals from the bank shall not exceed 100 leave days per employee during any consecutive 12-month period. In addition, bank withdrawals shall not exceed 100 days cumulatively for the same illness, medical condition or recovery. The College reserves the right to approve requests, deny requests, or to approve only a portion of the leave days requested. Any paid leave benefits granted under this policy will run concurrent with a medical leave of absence as defined under the FMLA policy and procedure.

4.9.5. Restrictions and Exclusions - The catastrophic sick leave bank shall not be overdrawn. If insufficient leave days are available in the bank to cover withdrawal requests, the requests shall be denied regardless of severity or need. Employees who receive leave days from the bank based on falsified, untrue, or misleading requests and/or physicians verifications shall be required to reimburse the College for leave days granted and used.