

# Oklahoma State University Policy and Procedures

**SICK LEAVE FOR STAFF**

**3-0716  
ADMINISTRATION & FINANCE  
October 2005**

## **PURPOSE**

1.01 An integral part of the staff program for the University is a uniform plan providing for short term illness or disability for staff. This policy statement is intended to provide a uniform sick leave policy for staff personnel of the University.

1.02 Benefits and provisions under this Sick Leave policy are to be in coordination with appropriate provisions of policies covering Workers' Compensation, Family and Medical Leave Act, and Long-Term Disability.

1.03 It is the policy of Oklahoma State University to comply with all state and federal regulations. In the event of conflict, the actual regulations issued by the federal or state government shall prevail.

## **SCOPE**

2.01 This policy applies to all OSU campuses and any other locations where business of the University is conducted.

A. Campuses separate from the main location in Stillwater may request modification of specific provisions of this policy.

B. Exceptions must be recommended by the appropriate Vice President and approved by the President. Notice of changes should be filed with the Office of OSU Human Resources to ensure proper payroll processing.

2.02 Provisions of this policy apply to staff employees with continuous assignments of at least six months and equivalent time worked of .5 FTE (full time equivalency). No time off with pay is accorded employees classified in the Human Resource System with student or temporary titles or classified as part-time employees of less than .5 FTE.

## **POLICIES AND PROCEDURES**

### 3.01 Sick Leave Plan

A. Sick leave is defined for the purpose of this policy as absence from assigned duty with pay, such absence resulting from an illness or disabling injury which is expected to continue for less than six calendar months or such absence resulting from the medical requirement and care for a qualifying family member who is ill or incapacitated.

B. Sick leave is not intended for or to be used as "vacation time" or other absence from work, except as defined within this policy.

C. Staff with at least .5 FTE but less than 1.0 FTE are eligible to take sick leave in proportion to actual FTE prior to leave, subject to other provisions of this policy.

D. No payment shall be made at any time for unused sick leave.

E. Staff who transfer from one department to another department within the OSU System will take with them the balance of unused accumulated sick leave.

F. Staff who terminate employment with the OSU System shall forfeit all unused sick leave.

G. If an employee terminates and then is reemployed by the OSU System within six months, the department head may authorize reinstatement of prior sick leave accumulations up to a maximum of 80 hours.

H. An appointment ending date on record at the inception of an illness or disability will supersede any Leave Without Pay, Return from Leave, or Job Guarantee considerations in this policy.

### 3.02 Sick Leave Accrual

A. Staff employed in a full-time position (100% FTE) shall accrue sick leave with full pay at the rate of 22 working days (14.67 hours per month or 6.77 hours per biweekly pay period) during each year of service.

B. Staff employed in a part-time position (at least .5 but less than 1.0 FTE) shall accrue sick leave proportionate to FTE. Part-time staff employed less than .5 FTE shall not accrue, nor be paid for sick leave.

C. Sick leave accrues during periods of leave with pay proportional to FTE, except during terminal annual leave.

D. Sick leave does not accrue during periods of leave without pay.

E. Sick leave accrues and is credited at the end of each pay period for employees in active pay status on the first Friday of the pay period if paid biweekly and the 16th day of the month if paid monthly. Accrued sick leave is available to be used by an employee during the time period in which it is credited.

F. The maximum accrual of sick leave for staff is 200 working days (1600 hours). There is no accumulation where 1600 hours are already credited. Amounts in excess of the 1600 hours that would otherwise accrue will be transferred to the Extended Sick Leave Account as described in section 4.01 of this policy.

### 3.03 Use of Sick Leave

A. For purposes of this policy, the immediate family is defined as spouse, children, parents, siblings, grandparents, grandchildren, or corresponding in-law relationships.

B. Sick leave may be used for personal illness or incapacity, or for occasions which require the employee to care for a member of the immediate family who is ill or incapacitated.

C. Sick leave may be used for staff or eligible dependent's personal appointments with a doctor, dentist or other recognized licensed medical practitioner. Whenever possible, such appointments should be scheduled in coordination with the unit's work schedule. In no case shall the length of time exceed the extent of time required to complete such appointment.

D. Sick leave may also be used by the employee for counseling by the OSU Employee Assistance Program or for annual screening under the Wellness Program. Such visits must be scheduled at the convenience of the department.

E. Notification of absence due to personal or eligible dependent illness or injury shall be given to the appropriate supervisor by the staff member or his/her representative as soon as possible. Failure to give such notice may be considered as cause for disciplinary action including dismissal from employment.

F. The unit administrator may require the staff member to furnish certification of illness or disabling injury. In so doing, the unit administrator may require the staff member to provide a written statement by a qualified, licensed medical practitioner certifying that the employee is ill or incapacitated, the medical facts which support that certification, any suggested alterations to the staff member's regular duties (including ability to perform essential functions), the anticipated length of the illness or other incapacitating condition, and such other information as may be necessary to determine whether granting sick leave is appropriate. In addition, the unit administrator may require the staff member to provide periodic recertification. Falsification of such information shall be cause for dismissal with appropriate adjustment in terminal pay.

G. The unit administrator may require the staff member to furnish satisfactory proof of need for the employee to care for a member of the immediate family who is ill or incapacitated. Such appropriate certification includes, but is not limited to, the use of forms approved for certifying Family and Medical Leave.

H. Sick leave accrual may not be anticipated. Staff may use only the amount of sick leave which has been earned and credited prior to or within that pay period.

I. Accrued sick leave is intended to replace absences during normal work hours, subject to the other provisions of this policy. Staff with at least .5 FTE but less than 1.0 FTE are eligible to use accrued sick leave in proportion to a normal work schedule.

#### 3.04 Sick Leave Records

A. Unit administrators are responsible to ensure the confidentiality of medical records.

B. Departments will maintain adequate up-to-date records for each staff member that accurately reflect the amount of sick leave accrued, the date and amount of all sick leave used, and the current accrual balance.

C. Departments will maintain accurate balances on the Human Resource System. Sick leave used will be reported on the appropriate confirmation payroll record or biweekly time report.

D. Adjustments to the balances shown on the Human Resource System are submitted to OSU Human Resources by the department on the Leave Adjustment Form.

E. Employees will report all sick leave used during a pay period on a regular basis in accordance with University and departmental requirements for recordkeeping. Exempt employees are required to report sick leave taken even though they do not report hours of work under the Fair Labor Standards Act.

F. Leave accrued, leave taken, and current accrual balances as maintained on the Human Resource System are reported to employees on the Payroll Advice.

G. Corresponding documentation for use of sick leave will be maintained by the department for three years.

### 3.05 Funding of Sick Leave for Staff Paid Through Grants, Contracts, or Programs with Outside Sponsors or Granting Agencies

A. Staff whose positions are funded in part or in total through grants, contracts, or programs with outside sponsors or granting agencies are eligible under the terms of this policy.

B. Should staff be required to use any accrued sick leave and the grant or contract forbid to reimburse the university for such paid leave, the primary department, college, or division of the employee will be responsible for payment of the leave.

C. Once the department has determined that a grant or contract will not reimburse the university for paid leave, the department must make budget adjustments or other changes to remain in compliance with the terms of the grant or contract.

### 3.06 Exhaustion of Sick Leave

A. Sick leave cannot be taken in advance of accrual. Reporting sick leave taken in excess of the accrued balance will result in automatic adjustments to annual leave or compensatory leave balances as part of the payroll process. In no case will an employee be paid for leave in excess of the total number of leave hours available.

B. At any time in which the total leave balances of the staff member are reduced to zero, the unit administrator must contact OSU Human Resources determine the appropriate course of action.

### 3.07 Requests for Extended Leave Without Pay (Short-Term)

A. Short-Term is defined as not expected to be more than six months in length. Medical leaves longer than six months are covered under the policy on Long-Term Disability.

B. Staff who are incapacitated for work due to illness or injury that is not service-connected, and who have exhausted all accrued sick leave and annual leave, may request a leave of absence without pay. The need for such leave shall be certified by a licensed medical practitioner, who shall determine whether or not the total time away from work, from the beginning date of disability, will be under or over six months.

C. The department head may require medical certification of the employee's ability to continue to work or to return to work. Periodic medical recertification during such a leave may also be required by the unit administrator.

D. During a period of short-term medical leave without pay, unless otherwise required by law, the employee will be billed for medical and life insurance premiums. Failure to pay such premiums during the months in which the employee is billed may result in cancellation of insurance.

E. The maximum length of the short-term medical leave without pay, combined with sick leave and annual leave, shall be six months, with a possible one-time extension up to six additional months with certification by a licensed medical practitioner. No further extension will be granted.

F. At the end of a medical leave without pay in which the total time away has not exceeded six months, the employee may return to the original position or one of equal rank, if funds are available and if such a position is available at the time within the employing administrative unit.

### 3.08 Maternity/Paternity Leave

A. Illness due to pregnancy is treated as any other short-term disability.

B. When requested by the employee, and where alternatives already exist or accommodations can be made, transfer will be granted by the department to less strenuous or safer duties as recommended by the physician.

C. Female staff members shall not be penalized in their condition of employment because they require time away from work for childbearing purposes. In requesting maternity leave, safety and childbearing shall be considered as justification for leave of absence for a female employee for a reasonable length of time, and for reinstatement following childbirth without loss of seniority or accrued benefits.

D. The necessary time away from work for safety and childbearing purposes shall be determined by a physician in accordance with the Family and Medical Leave Act and this sick leave policy and will include sick leave with pay, annual leave with pay, compensatory leave with pay (if applicable), and leave without pay.

E. A parent meeting the eligibility criteria under the Family and Medical Leave Act may, upon application, use up to five days accrued sick leave for the qualifying event of birth or adoption of his or her child. The twelve month employment requirement of the Family Medical Leave Act will not apply. Additional accrued leave can be used, as applicable under the conditions in OSU Policy and Procedures.

#### 4.01 Extended Sick Leave Account

A. As of July 1, 2003, amounts of sick leave that accrue each pay period that are in excess of the 1600 hour maximum for regular sick leave will be transferred to an Extended Sick Leave Account.

B. Amount forfeited prior to July 1, 2003, will be estimated from prior payroll records and the amounts applied to the Extended Sick Leave Account. Such estimates will be logically determined by payroll records for all employees during the past ten year period.

C. Employees who became members of the Oklahoma Teachers' Retirement System (OTRS) prior to July 1, 1992, may be able to apply unused sick leave to receive additional service credit for OTRS retirement benefits.

D. This possibility of additional service credit is governed by rules and regulations of OTRS and is not awarded or regulated by Oklahoma State University. OSU facilitates the possibility of additional service credit by maintaining centralized records of sick leave accrual.

E. When requested by OTRS, OSU will verify the accrued amount of sick leave to include both the regular sick leave amount and the extended sick leave amount.

F. The Extended Sick Leave Account will be reported to employees as part of the Annual Total Compensation Report.

G. The Extended Sick Leave Account will have no cash or actual sick leave value other than as indicated for OTRS purposes above.

5.01 Oklahoma State University reserves the right to change this Policy and Procedure Letter or any portion thereof at any time and without prior notice.

5.02 This policy replaces applicable portions of 3-0705 Attendance and Leave for Classified Staff adopted July 1, 1970, with latest revision October 1988 and 3-0725 Attendance and Leave for Administrative/Professional Staff adopted September 1972 with latest revision October 1988.

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