

University Policy 200.09 SICK LEAVE

Responsible Administrator: Office of the President

Responsible Office: Office of Human Resources

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Authority: Office of the President

Policy Statement

It is the policy of Claflin University to provide sick leave to eligible full-time and part-time twelve-month salaried employees (minimum of 20 hours per week and not more than 35 hours per week). This policy permits an employee to be on paid leave from work for reasons related to personal illnesses or injuries and family related health conditions. Sick leave is a benefit that helps to protect the income of employees when they must be absent from work due to medical reasons. Upon employment, all applicable employees, including those who are serving a probationary period, are eligible for sick leave accruals beginning with the first semi-monthly pay period.

Statement of Purpose

This policy establishes guidelines for the administration of the Sick Leave Program. It allows employees to use their earned sick leave hours to take paid time off from work due to personal or family illnesses. Employees may also use accumulated sick leave hours for their own personal illnesses, injuries and medical conditions covered under the Family and Medical Leave Act. Employees must request family and medical leave to cover absences for family health conditions that qualify under the Act.

Applicability

This policy is applicable to full-time hourly employees, twelve-month contract employees, faculty members on contract, and part-time twelve-month salaried employees. Probationary employees are eligible to earn sick leave hours.

PROCEDURES

Determining the Accrual Rate

The rate at which an employee earns sick leave is based upon a uniform policy. All full-time employees earn four hours of sick leave each semi-monthly pay period. Part-time employees earn two hours of sick leave each semi-monthly pay period.

Accrual of Sick Leave

Sick leave accrues at the end of the day of each completed semi-monthly pay period, 1st through the 15th and the 16th through the last working day of the

month. It is credited to the employee and available to be used on the first day of the next pay period, the 1st and the 16th of the month. An employee must have worked or have been on paid leave for the entire semi-monthly pay period in order to earn sick leave.

- Employees on paid sick leave continue to earn sick leave.
- Sick leave does not accrue in the following situations: during any semi-monthly pay period when the employee is on leave without pay for the entire pay period; during any semi-monthly pay period when no work is performed by a full-time employee who works less than 12 months; or when an employee is suspended without pay pending the results of an official investigation or court action or during any pay period when an employee is on disciplinary suspension.

Use of Sick Leave

Employees applying for sick leave shall submit a Request for Leave Application to the immediate supervisor for approval. The President must also approve a request for sick leave in excess of ten (10) days.

Accrued sick leave hours may be used for three major purposes as defined below:

Personal

Employees shall be allowed to use their accrued sick leave to take paid time off from work for the following reasons:

- Medical necessity during the employee's temporary incapacity due to illness or injury, including incapacity related to pregnancy or childbirth;
- Infection with or exposure to a contagious disease such that his or her presence on the job might jeopardize or endanger the health of others when certified by a licensed physician;
- When the employee is incapable of performing normal duties or that continuing to perform normal duties would be hazardous to the health of the employee; and
- For the employee's medical appointments that cannot be scheduled during non-work hours.

Family

Employees shall be allowed to use their accrued sick leave to take time off from work for medical appointments that cannot reasonably be scheduled during non-work hours and for **SHORT-TERM** illnesses or injuries of an

immediate family member. Immediate family members shall include the following:

- Parents, including step-parents or persons who stood in place of the parent and performed parental duties and responsibilities;
- Spouse as defined by laws of South Carolina; and
- Children, including stepchildren, foster children, and legal wards.

Family and Medical Leave Act (FMLA)

The University reserves the right to place employees on Family and Medical Leave status without a FMLA application of request.

Eligible employees who are unable to perform the essential functions of their positions because of a serious health condition or disability shall be granted Family and Medical Leave. Employees may use accumulated sick and vacation leave for FMLA personal sick leave of absence.

Eligible employees shall be granted Family and Medical Leave to care for a family member with a serious health condition that qualifies under the Family and Medical Leave Act. To be compensated for family sick leave under FMLA, employees are required to use any vacation leave first and then any available sick leave.

Medical Disability

There are options available to the University if an employee becomes mentally or physically incapable of performing his or her job and has been determined to be permanently disabled by the treating physician. The University should determine if there is any reasonable accommodation, including transfer or demotion to another position that will enable the employee to perform the job. If not, the University may recommend that the employee apply for disability or early retirement. If an employee declines disability or early retirement, the University may apply the Policy on Termination to address unsatisfactory performance.

Verification of Employee's Need for Sick Leave

Employees who wish to use sick leave must make their request as far in advance as possible and complete the Request for Leave Application. Employees who anticipate being disabled from work due to a medical condition, including, but not limited to such things as elective surgery, pregnancy, and childbirth, should submit a physician's certification of disability as far in advance as possible to assist management in planning for the employee's absence. For leave under the Family and Medical Leave Act (FMLA), a 30 day notice is required for events that are foreseeable, such as birth, adoption, or planned medical treatment.

The use of sick leave shall be subject to verification. The University may, before approving the use of sick leave, require the certification of a physician or other acceptable documentation describing the nature of illness and giving inclusive dates.

An employee's use of paid sick leave may be denied if the employee fails to comply with the University's request for verification of the need for sick leave or if the verification provided is inadequate or incomplete, and failure to adhere to other requirements under the Family and Medical Leave Act.

Duration of Leave

- For staff, carryover sick leave accruals may be carried over from one fiscal year to the next. In accordance with the Faculty Handbook, sick leave for faculty is accrued only by employees on twelve-month appointments.
- No Pay Out - Employees will **NOT** be paid for unused sick leave upon separation from the University.

Treatment of Sick Leave Upon Transfer

- Employees are not paid for their sick leave balance when they transfer from one position to another within the University.

Abuse of Sick Leave

- Sick leave should not be abused. Employees who misrepresent the need to use sick leave are subject to disciplinary action.

Workers' Compensation

The University provides Workers' Compensation Insurance for all employees. All work related injuries must be reported immediately to the supervisor, regardless of how minor the injury may initially appear to be. Supervisors are responsible for notifying the Office of Human Resources. The Accident Reporting Form must be completed and submitted by the supervisor within 48 hours of the accident. The Office of Human Resources is responsible for investigating the accident and reporting it to the workers' compensation insurance carrier.

An employee who is disabled because of the injury for a period of more than seven days will receive compensation. In accordance with the provisions of the Workers' Compensation Act, the insurance company will be responsible for

paying the hospital charges and other medical expenses.

Employees with approved Workers' Compensation claims will receive the Workers' Compensation benefit (two-thirds of the employee's weekly wage). Employees may use their accrued sick leave or vacation leave to supplement the Workers' Compensation benefit to receive 100% pay.

Military Leave

- Employees may retain their sick leave balance and have it reactivated upon their return to the University from military leave. Employees on military leave without pay will not accrue sick leave.

COMPLIANCE WITH POLICY

This policy shall be governed in accordance with the Policy on Family and Medical Leave and the section on Leave Without Pay for Disability in the Staff Guidelines.

