

	Policy No.
	Issuing Authority: Human Resources
	Responsible Officer: AVP Human Resources
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SICK LEAVE

AUDIENCE

All regular St. Thomas University staff employees. Faculty members are excluded from this policy.

PURPOSE

The purpose of this policy is to define the University's policy for accruing and administering sick leave to staff employees of the University.

POLICY STATEMENT

St. Thomas University recognizes that inability to work because of personal illness or injury may cause economic hardship. For this reason, the University provides eligible University staff with paid time off for personal illness or injury as follows:

II. Sick Leave Eligibility

- A. *Full-Time Staff will be granted twelve (12) days of paid sick time per year.*
- B. *Part-Time Staff are not eligible for paid sick time.*

An employee's right to receive sick time pay is at the University's discretion.

II. Usage and Conditions of Sick Leave Benefits

Sick leave benefits are limited for the following events:

1. When an employee is ill or injured, requires home care or medical care, and is unable to come to work;
2. When an employee is not able to schedule a medical appointment for the employee outside of regular working hours;
3. When the absence is the result of an illness or within the employee's immediate family (i.e., the employee's spouse, parent(s), minor child(ren), or any other individual whose relationship with the employee is similar to that of a spouse, parent(s), minor child(ren))

or in situations that place primary responsibility for care of an employee's immediate family member on the employee;

4. To address the effects of domestic violence on the employee or the employee's dependent child; and/or
5. When an employee travels to and from an appointment, a pharmacy, or other location related to the purpose for which the sick time was taken.

Sick leave benefits may not be used as vacation days, as an excuse to be late for work, or for any other reason other than those listed above. The misuse of sick leave benefits may result in disciplinary action, up to and including dismissal.

In addition, the following conditions apply:

1. Sick time for Non-Exempt employees may be taken in one (1) hour increments.
2. Sick time may not be used if an employee is not scheduled to be at work during the period of use.
3. Family and Medical Leave runs concurrently with all sick leaves, whether paid or unpaid. As such, all staff employees are required to report sick time to the payroll department in order to comply with the Federal Family and Medical Leave Act (FMLA).
4. If an employee is absent from work due to illness but has no available sick time, then the employee's accrued vacation time will be applied to the absence. If an employee is absent from work and has no available sick time and no accrued vacation time, then the absence will be without pay, subject to applicable law.
5. The University may require proof of employee illness and/or written verification of appointments at its sole discretion.
 - a. Documentation must be provided within seven (7) days after taking the sick time, unless the employee has good cause for needing more time.
 - b. Such notice may be provided by hand delivery or email.
 - c. Failure to provide such documentation may result in the University recouping the sum paid for sick time from future pay.
6. Long-term illnesses for full-time employees may be covered under the University's long-term disability benefit plan (subject to the terms and conditions of the policy in effect at the time of the illness).
 - d. Payment of sick time for catastrophic illnesses will be handled on a case-by-case basis.
 - e. If an employee is receiving worker's compensation payments, disability payments, or any other University leave payments, the employee may use sick leave to make up the difference.

III. Accumulation of Sick Leave Days

At the end of each fiscal year, unused sick leave days will be accumulated in a bank from year to year to ensure that such days are available in the event of a serious health condition, up to a maximum of ninety (90) days. Once that limit is reached, sick leave will stop accumulating in the sick leave bank.

IV. Separation from the University

Unused sick leave will be forfeited on the staff employee's effective date of separation from the University. No payments are made for accrued unused sick days at any time, in the event of termination. Additionally, the sick time pool cannot be transferred to other employees.

In the event that the separating employee has a negative sick leave balance on the books, the negative sick time will be paid back from the employee's vacation balance to the extent that vacation time is available. Otherwise, the negative balance will be deducted from the separating employee's last paycheck.

V. Transfer/Change of Status/Reemployment

Staff employees who are transferred from a full-benefits-eligible status to temporary, part-time, or other status retain their accrued balance of paid sick time. This balance shall be available for use upon return to regular employment status, provided there has been no break in University service. Following a break in service of up to six (6) months, an employee maintains the right to use any unused sick time accrued before the break in service. See *Policy No. HR - : Reemployment* for additional information.

VI. Protection from Discrimination, Harassment or Retaliation

No employee will face discrimination, harassment, or retaliation as a result of the employee's use of paid sick leave consistent with this policy.

VII. Benefits

During a sick leave, all benefits remain in effect, except if a holiday falls during the leave. Employees will not receive holiday pay if a holiday occurs when an employee is on sick leave, unless otherwise approved by supervisor in consultation with Human Resources. There will be no accrual of benefits such as vacation or service time while on sick leave.

VIII. Voluntary Termination

The University considers a voluntary termination by the employee when the following incidents occur:

1. If an employee is absent for more than three (3) consecutive days without notifying the employee's supervisor and does not provide timely and sufficient written verification to the University (upon its request).
2. If an employee seeks or accepts any work with another employer during the sick leave.
3. If an employee operates a business during the sick leave.

IX. Other

Any interpretations required as a result of the University's sick time policy will be decided by the Head of Human Resources.

DEFINITIONS

Exempt Staff: employees who are exempt from minimum wage and overtime provisions of the Fair Labor Standards Act as amended.

Immediate Family Member: includes the employee's spouse, parent(s), minor child(ren), and any other individual whose relationship with the employee is similar to that of a relationship described herein.

Non-Exempt Staff: employees who are covered by minimum wage, overtime, and time-card provisions of the Fair Labor Standards Act as amended. These employees receive overtime pay for any hours worked over 40 per week.

Probationary Period: the initial period of employment, during which both the administrative or staff employee and supervisor carefully consider whether the employee is willing and/or able to meet the standards and expectations of the position and if the employee should be retained by the University as a Regular Employee.

Regular Employee: University employees who are hired with the expectation of continued employment and have successfully completed the Probationary Period.

PROCEDURES

Should an employee be unable to work because of illness or a medical appointment, the employee must notify the employee's supervisor or department head at least one (1) hour prior to the start of the employee's normal work schedule. Only in emergencies may another responsible adult call in for the employee.

Failure to properly notify the University results in an unexcused absence. Furthermore, an employee who fails to contact the employee's supervisor or Human Resources may be considered to have voluntarily abandoned their position with the University.

Employees, if they are physically able to, must notify their supervisor every day they expect to be out on sick leave.

Policy No. HR - : Staff Absenteeism and Tardiness for additional information.

RELATED POLICIES

Policy No. HR - : Family and Medical Leave

Policy No. HR - : Probationary Period

Policy No. HR - : Reemployment

Policy No. HR - : Staff Absenteeism and Tardiness

I. Sunset Review

This policy shall be reviewed in 3 years from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time as necessary to reflect substantial organizational, physical, or academic change(s) at STU or any change required by law.

This policy supersedes all previous versions of the Sick leave policy.