



Policy 4.33 Sick Leave for Biweekly Employees

Responsible Official: VP for Human Resources
Administering Division/Department: Leave Policies
Effective Date: March 29, 2007
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Overview

Regular biweekly (nonexempt) employees who work at least 20 or more hours per workweek are eligible for sick leave benefits. Temporary employees, with the exception of rehired retirees, do not accrue sick leave.

Employees shall not be compensated for accrued sick leave balances upon termination.

Policy Details

REASONS FOR LEAVE

An employee must use accrued sick leave:

- when unable to perform job duties as a result of personal illness (includes accident or injury, pregnancy and childbirth, or other medical conditions);
- when the employee's appointment with a health care provider cannot reasonably be scheduled during non-work hours;

An employee may use up to six (6) work weeks of accrued sick leave to adopt a child. This includes related agency and legal appointments, travel time and a bonding period following the adoption.

An employee shall not be allowed leave without pay for one of the reasons set forth above unless the employee has exhausted all sick leave.

An employee may elect to use accrued sick leave, vacation leave, or leave without pay:

- To care for a Care Recipient who is disabled as a result of illness, accident or injury, pregnancy and childbirth, or other medical conditions requiring the presence of the employee. Additionally, an employee may use sick leave to accompany a Care Recipient to a routine medical or dental appointment that cannot be reasonably scheduled during non-work hours. For the purpose of this policy, a Care Recipient shall be the employee's spouse; same-sex domestic partner; children, adult children without other care support, parents, in-laws, and legal wards, regardless of domicile; and any other relative residing in the employee's home

Reference the *Family and Medical Leave Act (FMLA) Policy* for additional information regarding absences for serious health conditions.

BIWEEKLY PROVISIONS

Biweekly employees accrue sick leave on a per-pay-period basis based on actual hours worked, (refer to the Sick Leave Chart for Biweekly Employees). Accrual rates will be based on no more than 80 hours per pay period.

The pay period accrual amount shall be credited to the employee's sick leave account on the last day of the pay period and may be utilized no earlier than the first workday in the following pay period. Sick leave is granted to biweekly employees in increments of 15 minutes. The amount of sick leave that may be granted to a biweekly employee shall not exceed the employee's scheduled work hours for the workday(s) on which the absence(s) occurred. Sick leave hours for biweekly employees are not counted in the computation of overtime.

A biweekly employee shall not be allowed leave without pay for one of the reasons set forth above unless the employee has exhausted all sick leave. It is the employee's responsibility to add applicable leave to their total hours worked to equal weekly scheduled hours, and the Supervisor's approval is required. Timekeepers are not required to do this on behalf of employees.

There is no maximum accumulation for sick leave.

The total amount of sick leave that may be granted to an employee shall not exceed the employee's sick leave balance.

REQUESTING LEAVE

When an employee is unable to report for work when scheduled, he/she is expected to notify his/her supervisor no later than the beginning of the work schedule on the first day of absence and on succeeding days of absence. Some departments may require notification of absence at least one to three hours prior to the beginning of the work schedule.

NOTE: When the employee is unable to notify his/her supervisor of an absence, he/she may ask another person to do so according to his/her departmental procedures. Failure of that person to carry out the appropriate notification procedures will not relieve the employee of this responsibility.

Where there are predictable circumstances which cause an employee to be absent from work because of a personal or family health condition, such as elective surgery, request for sick leave should be made as far in advance as possible (30 days in advance under FMLA).

When an employee becomes medically unable to work because of illness, accident or injury while working, the employee's supervisor(s) should be notified as soon as possible. The employee may be required to provide a statement from a health care provider indicating when the employee is released to return to work. Supervisors are expected to thoroughly document such circumstances.

GENERAL

Employees who have exhausted their sick leave balances may use their unused vacation leave, holiday hours or floating holiday hours for any absence(s) from work due to personal or family illness. Leave without pay may be granted by the department once sick leave is exhausted. Sick leave for employees shall not be accrued during a leave of absence without pay.

If a sick leave request is denied for failure to follow the established call-in procedures or other requirements, the department may designate that the leave be unpaid, or they may allow the employee to use vacation leave or floating holidays to be paid during the absence.

SICK LEAVE ACCRUAL FOR RE-HIRED/TRANSFERRED EMPLOYEES

If the break in service between the employee's effective date of re-employment or the date of retirement and last date of employment is no more than 31 consecutive calendar days, the entire balance of unused sick leave hours shall be reactivated.

If the break in service between the employee's last employment date or date of retirement and the effective date of reemployment is more than 31 consecutive calendar days, the unused sick leave balance shall not be reactivated.

VERIFICATION

The department may require a statement from a health care provider confirming the need for absence by the employee after the employee is away from work for three days or more.

In certain cases, because of job requirements, an employee may be required to provide a statement from his/her health care provider regarding his/her ability to perform job duties.

RECORD KEEPING

The department and designated timekeeper shall have the responsibility for administration and record keeping of the Sick Leave Policy for the employees within the department. Human Resources can provide advice regarding administration and interpretation of this policy.

An employee's leave balances must be transferred to the new university department upon the effective date of

transfer.

NOTE: "Availability of paid sick leave does not mean that health-related absences (other than those protected by FMLA) will not be considered in determining whether an employee has excessive or otherwise unacceptable absenteeism. Abuse of the sick leave policy may result in disciplinary action up to and including termination of employment."

**SICK LEAVE CHART FOR
BIWEEKLY (NONEXEMPT) EMPLOYEES**

RATE OF PER-WEEK ACCRUAL

| AVERAGE HRS. WORKED PER WEEK | HRS. PER WK. |
|--------------------------------|--------------|
| <i>Per Hour Accrual</i> | 0.046154 |
| 20 | 0.923080 |
| 21 | 0.969234 |
| 22 | 1.015388 |
| 23 | 1.061542 |
| 24 | 1.107696 |
| 25 | 1.153850 |
| 26 | 1.200004 |
| 27 | 1.246158 |
| 28 | 1.292312 |
| 29 | 1.338466 |
| 30 | 1.384620 |
| 31 | 1.430774 |
| 32 | 1.476928 |
| 33 | 1.523082 |
| 34 | 1.569236 |
| 35 | 1.615390 |
| 36 | 1.661544 |
| 37 | 1.707698 |
| 38 | 1.753852 |
| 39 | 1.800006 |
| 40 | 1.846160 |

SICK LEAVE HAS NO MAXIMUM ACCUMULATION LIMIT.

Related Links

- Current Version of This Policy: <http://policies.emory.edu/4.33>

Contact Information

| Subject | Contact | Phone | Email |
|----------------------------------|----------------|----------------|-------------------|
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Revision History

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- Version Published on: Oct 27, 2011
- Version Published on: May 02, 2011
- Version Published on: Dec 14, 2010
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