Policy 4.33
Sick Leave for Biweekly Employees

This policy version was not current at the time of printing. Please see http://policies.emory.edu/4.33 for the current version.

Responsible Official: VP for Human Resources
Administering Division/Department: Leave Policies
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Policy Sections:

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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, except rehired retirees, do not accrue sick leave.

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

Policy Details

REASONS FOR LEAVE
An employee may 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;
- to care for an immediate family member who is disabled as a result of illness, accident or injury, pregnancy and childbirth, or other medical conditions requiring the presence of the employee. For the purpose of this policy, immediate family shall be the employee’s spouse; same-sex domestic partner; children, parents, and legal wards, regardless of domicile; and any other relative residing in the employee’s home.

NOTE: Routine medical or dental appointments for family members are not covered under the sick leave policy. An employee who needs time off for such family appointments must use either accrued vacation, floating holiday or accrued holiday hours. If the employee has exhausted all such leave hours, he/she may be granted leave without pay for such purposes.

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, years of service and paid status (refer to the Sick Leave Chart for Biweekly Employees). Accrual rates will be based on no more than 80 hours per pay period.

For example, if a regular full-time employee worked 80 hours in a pay period, the accrual would be calculated as
such:

\[
40 \text{ hours} \times 0.046154 = 1.846160 \text{ per week}
\]

Therefore, the total accrual would be 3.69232 per pay period if the employee has less than 10 years of active service.

**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 applicable paid leave. Timekeepers are required to add applicable leave to the employee's total hours worked to equal weekly scheduled hours.

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. Failure of other persons 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.

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 should provide a statement from a health care provider indicating when the employee is released to return to work. Such circumstances should be thoroughly documented by the employee's supervisor(s).

**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 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 employee must use unused vacation leave, holiday hours or floating holiday to cover the absence, or leave without pay if these balances are exhausted.

Periods of employment in an ineligible status [i.e., temporary (other than rehired retirees), regular for less than half time, student status, or leaves of absence without pay] are not counted toward length of service for sick leave, except for individuals on an approved seasonal leave. All periods of eligible employment prior to a break in service are counted toward length of service for sick leave accrual purposes.

**SICK LEAVE ACCRUAL FOR RE-HIRED/TRANSFERRED EMPLOYEES**

Employees who are re-hired or transferred, including retirees, shall accrue sick leave according to the total length of sick leave eligible service and the number of regularly scheduled hours worked per pay period.

This will include former employees of Emory University Hospital or Crawford Long Hospital with service prior to January 1, 2003.

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 10 consecutive calendar days, the entire balance of unused sick leave hours at the time of retirement or last day employed 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 10 consecutive calendar days, the unused sick leave hours balance at the time of retirement or last day employed 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 on sick leave 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 stated duties.

RECORD KEEPING
The department 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.

The employee leave balances must be transferred to the new department in the university upon the effective date of transfer.

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

#### RATE OF PER-WEEK ACCRUAL

<table>
<thead>
<tr>
<th>AVERAGE HRS. WORKED PER WEEK</th>
<th>Less than 10 total years of active employment (0 to 120 months) HRS. PER WK.</th>
<th>10 but less than 20 total years of active employment (120 to 240 months) HRS. PER WK.</th>
<th>20 or more total years of active employment (&gt;240 months) HRS. PER WK.</th>
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<tr>
<td><strong>Per Hour Accrual</strong></td>
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SICK LEAVE HAS NO MAXIMUM ACCUMULATION LIMIT.

NOTE: “Total years of active service” is the number of years of active Emory employment in a regular status of at
least half-time, regardless of breaks in employment. "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"