



Policy 4.34 Sick Leave for Monthly Employees

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

- I. Overview
- II. Policy Details
- III. Related Links
- IV. Contact Information
- V. Revision History

Overview

Regular monthly (exempt) staff 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 elect to use up to six (6) work weeks for adoption or placement of a foster child. This includes related agency and legal appointments, travel time and a bonding period following the adoption.

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

An employee may elect to use accrued sick leave, vacation, 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, documentation from a healthcare provider is required. Additionally, an employee may use sick leave to accompany a Care Recipient to a routine medical or dental appointment that cannot reasonably be scheduled during non-work hours. For the purpose of this policy, a Care Recipient shall be the employee's spouse; children, adult children without other care support, parents, in-laws, and legal wards, regardless of domicile; and any other person residing in the employee's home.

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

MONTHLY PROVISIONS

Monthly employees accrue one day of sick leave per month.

The monthly accrual amount shall be credited to the employee's sick leave account on the last calendar day of each month and may be utilized no earlier than the first workday in the following month.

An employee shall accrue sick leave in any month in which the employee is in a paid status for at least 15 consecutive calendar days of the month.

There is no maximum accumulation for sick leave.

New employees and employees who change to a leave eligible status or change to a higher accrual rate, shall be eligible to begin accruing sick leave according to the procedure indicated below.

- If the effective date of employment, status change, or accrual change eligibility is *on or before* the 15th of the month, the monthly employee will accrue sick leave effective the last calendar day of that month.
- If the effective date of employment, status change or accrual change eligibility is *on or after* the 16th of the month, the monthly employee will accrue sick leave effective the last calendar day of the following month.

If a monthly employee is on Family and Medical Leave of Absence (FMLA) for a reason covered by this Sick Leave Policy, the employee will be paid for actual hours worked on a reduced or intermittent leave or on any day in which a partial day FMLA leave is taken. Hours not worked on an intermittent or reduced leave or any day in which a partial day FMLA leave is taken will be charged against an employee's sick leave balance, other applicable paid leave or will be leave without pay. Thus, the supervisor must reduce the pay of exempt, salaried employees for unpaid FMLA leave taken for partial day absences.

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.

The sick leave balance of a monthly employee will not be charged if the employee works for 4 or more hours in a workday.

Examples:

- If a monthly employee works for 4 or more hours, then takes the rest of the day off as sick leave, his or her leave balance will not be charged.
- If the employee works 1 or 2 hours, then takes the rest of the day off as sick leave, the employee's sick leave balance will be charged for 4 hours.
- If the employee takes the entire day off as sick leave, the employee's leave balance will be charged 8 hours.
- For part-time employees, proportional leave deductions would apply based on the number of hours the employee is scheduled to work. For employees who work flexible schedules, Human Resources will work with managers to apply this policy to the individual's 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 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 serious health condition, such as elective surgery, request for sick leave should be made as far in advance as possible (30 days 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 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, holidays or floating holidays 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 employee must use unused vacation leave, holidays or floating holidays to cover the absence, or leave without pay if these balances are exhausted.

On occasion, if a monthly employee works for at least four hours on a given day and obtains approval from his/her supervisor, the employee's vacation balance will not be charged. However, an absence of this nature should be rare and still requires the employee to request and receive approval from the supervisor in writing. This should in no way be interpreted to mean that a monthly employee is only required to work 4 hours per day on a regular basis and without supervisory approval.

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 five 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 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.

SICK LEAVE CHART FOR MONTHLY (EXEMPT) EMPLOYEES

AVERAGE HRS. WORKED PER WEEK	DAYS PER YEAR
20	6.0
21	6.3
22	6.6
23	6.9
24	7.2
25	7.5
26	7.8
27	8.1
28	8.4
29	8.7
30	9.0
31	9.3
32	9.6
33	9.9
34	10.2
35	10.5
36	10.8
37	11.1

38	11.4
39	11.7
40	12.0

SICK LEAVE HAS NO MAXIMUM ACCUMULATION LIMIT.

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."

Related Links

- Current Version of This Policy: <http://policies.emory.edu/4.34>

Contact Information

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Revision History

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