

Oklahoma State University Policy and Procedures

SICK LEAVE FOR STAFF	3-0716 ADMINISTRATION & FINANCE June 2024
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PURPOSE

1.01 An integral part of the staff compensation program for the university is a uniform plan providing for our employees who need time away from work occasionally due to incapacity, short-term illness or disability, and well-care. This policy statement is intended to provide a uniform sick leave policy for staff of the university.

1.02 Benefits and provisions under this Sick Leave policy are to be in coordination with appropriate provisions of policies covering Workers' Compensation, Family and Medical Leave Act (FMLA), and Long-Term Disability.

1.03 It is the policy of Oklahoma State University (OSU) to comply with all state and federal regulations.

SCOPE

2.01 This policy applies to all OSU campuses and any other locations where business of the university is conducted.

- A. Campuses separate from the Stillwater campus may request modification of specific provisions of this policy.
- B. Exceptions must be recommended by the appropriate Senior Vice President or Vice President and approved by the President or designee. Notice of changes should be filed with University Human Resources to ensure proper payroll processing.

2.02 Provisions of this policy apply to staff with continuous, regular assignments of at least six months and equivalent time worked of 0.5 FTE (full time equivalency). No time off with pay is provided to employees classified in the Human Resource Information System with student or temporary titles or classified as part-time employees of less than 0.5 FTE except those situations which fall within applicable state and federal guidelines.

POLICIES AND PROCEDURES

3.01 Sick Leave Plan

- A. Sick leave is defined for the purpose of this policy as absence from assigned duty with pay, such absence resulting from an illness (physiological or mental), incapacitation, disabling injury, attendance of preventative appointments or measurement for optimal health (e.g., dental checkups, annual physicals) or maintenance appointments for health conditions (e.g., counseling, addiction support, dialysis) which is expected to continue for less than six calendar months or such absence resulting from the medical requirement and care for a qualifying family member who is ill or incapacitated.
- B. Sick leave is not intended for or to be used as "vacation time" or other absence from work, except as defined within this policy.
- C. Staff with at least 0.5 FTE but less than 1.0 FTE are eligible to take sick leave in proportion to actual FTE, subject to other provisions of this policy.
- D. No payment shall be made at any time for unused sick leave.
- E. Staff who transfer from one department to a leave eligible position in another department within the OSU System will take with them the balance of unused accumulated sick leave. Staff who transfer to a non-leave eligible position will forfeit the balance of unused sick leave.
- F. Staff who terminate employment with the OSU System shall forfeit all unused sick leave.
- G. If an employee terminates and then is reemployed in a leave eligible position by the OSU System within six months, the unit administrator may authorize reinstatement of prior sick leave accumulations up to a maximum of 80 hours.
- H. An appointment ending date on record at the inception of an illness or disability will supersede any Leave Without Pay, Return from Leave, or Job Guarantee considerations in this policy.

3.02 Sick Leave Accrual

- A. Staff employed in a full-time position (1.0 FTE) shall accrue sick leave with full pay at the rate of 22 working days (14.67 hours per month or 6.77 hours per biweekly pay period) during each year of service.
- B. Staff employed in a part-time position (at least 0.5 but less than 1.0 FTE) shall accrue sick leave proportionate to FTE. Part-time staff employed less than 0.5 FTE shall not accrue, nor be paid for, sick leave.

- C. Sick leave accrues during periods of leave with pay proportional to FTE, except during terminal annual leave.
- D. Sick leave does not accrue during periods of leave without pay.
- E. Sick leave accrues and is credited following each pay period for staff in active pay status. Employees must be in a paid status for at least 50% of the pay period, proportionate to FTE, to receive an accrual. Paid status includes hours worked, and paid leave taken during the pay period. Accrued sick leave is available to be used by an employee during the pay period in which it is credited.
- F. The maximum accrual of sick leave for staff is 200 working days (1,600 hours), proportionate to FTE. There is no further accumulation where 1,600 hours are already credited. Amounts in excess of the 1,600 hours which would otherwise accrue will be transferred to the Extended Sick Leave Account as described in section 4.01 of this policy.

3.03 Use of Sick Leave

- A. For purposes of this policy, the immediate family is defined as spouse, children, foster children, parents, siblings, grandparents, grandchildren, or corresponding step and in-law relationships.
- B. Sick leave may be used for personal illness or incapacity, or for occasions which require the employee to care for a member of the immediate family who is ill or incapacitated.
- C. Sick leave may be used for staff or eligible dependent's personal appointments with a doctor, dentist, or other recognized licensed medical practitioner. Whenever possible, such appointments should be scheduled in coordination with the unit's work schedule. Reasonable time will be allowed for travel.
- D. Sick leave may also be used by the employee for counseling by the OSU Employee Assistance Program or for annual health screenings. Such visits must be scheduled at the convenience of the department.
- E. Notification of absence due to personal or eligible dependent illness or injury shall be given to the appropriate supervisor by the staff member or their representative as soon as possible. Failure to give such notice may be considered as cause for corrective action including dismissal from employment.
- F. The unit administrator may require the staff member to furnish certification of illness or disabling injury. In so doing, the unit administrator may require the staff member to provide a written statement by a qualified, licensed medical practitioner certifying the employee is ill or incapacitated, any suggested alterations to the staff member's regular duties (including ability to perform essential functions), the anticipated length

of the illness or other incapacitating condition, and such other information as may be necessary to determine whether granting sick leave is appropriate. Contact should be made with University Human Resources to coordinate, with the employee, the appropriate FMLA documents and leave per policy 3-0708. Notification will be made to the unit administrator and/or administrative officer regarding the state of family medical leave. In addition, the unit administrator may require the staff member to provide periodic recertification. Falsification of such information shall be cause for dismissal with appropriate adjustment in terminal pay.

- G. The unit administrator may require the staff member to furnish satisfactory proof of need to care for an immediate family member who is ill or incapacitated. Such appropriate certification includes, but is not limited to, the use of forms approved for certifying Family and Medical Leave or meeting the requirements as stated in section F above. Contact should be made with University Human Resources to coordinate, with the employee, the appropriate FMLA documents and leave per policy 3-0708. Notification will be made to the unit administrator and/or administrative officer regarding the state of family medical leave.
- H. Sick leave accrual may not be anticipated. Staff may use only the amount of sick leave which has been earned and credited prior to or within the pay period sick leave is used.
- I. Accrued sick leave is intended to replace absences during normal work hours, subject to the other provisions of this policy. Staff with at least 0.5 FTE but less than 1.0 FTE are eligible to use accrued sick leave in proportion to a normal work schedule.
- J. For absences lasting longer than five days, for conditions requiring intermittent leave or hospitalization, or for workers' compensation leaves of absence, the unit administrator should contact University Human Resources. Please refer to policy 3-0770, Workers' Compensation, and 3-0708, Family and Medical Leave Act.

3.04 Sick Leave Records

- A. Unit administrators are responsible for ensuring the confidentiality of medical records.
- B. Departments will maintain adequate up-to-date records for each staff member accurately reflecting the date and amount of all sick leave requested, approved, and used. These records will be maintained by the department for three years.
- C. Departments will maintain accurate balances on the Human Resource Information System. Sick leave used will be reported on the appropriate biweekly timesheet or monthly leave report.
- D. Adjustments to the balances shown on the Human Resource Information System are submitted to Payroll Services by the department through a Leave Correction.

- E. Employees will report all sick leave used during a pay period on a regular basis in accordance with university and departmental requirements for recordkeeping. Exempt employees are required to report sick leave taken even though they do not report hours of work under the Fair Labor Standards Act.
 - F. Leave accrued, leave taken, and current accrual balances as maintained on the Human Resource Information System are viewable by employees via the Employee Self-Service portal.
- 3.05 Funding of Sick Leave for Staff Paid Through Grants, Contracts, or Programs with Outside Sponsors or Granting Agencies
- A. Staff whose positions are funded in part or in total through grants, contracts, or programs with outside sponsors or granting agencies are eligible under the terms of this policy.
 - B. Should staff be required to use any accrued sick leave and the grant or contract prohibit reimbursement to the university for such paid leave, the primary department, college, or division of the employee will be responsible for payment of the leave.
 - C. Once the department has determined a grant or contract will not reimburse the university for paid leave, the department must make budget adjustments or other changes to remain in compliance with the terms of the grant or contract.
- 3.06 Exhaustion of Sick Leave
- A. Sick leave cannot be taken in advance of accrual. Reporting sick leave taken in excess of the accrued balance will result in automatic adjustments to annual leave or compensatory leave balances as part of the payroll process. In no case will an employee be paid for leave in excess of the total number of leave hours available.
 - B. At any time in which the total leave balances of the staff member are reduced to zero, or are near exhaustion, the unit administrator should contact University Human Resources to determine the appropriate course of action.
- 3.07 Requests for Extended Leave Without Pay (Short-Term)
- A. Short-Term is defined as not expected to be more than six months in length. Medical leave longer than six months is covered under policy 3-0750, Long-Term Disability.
 - B. Staff who are incapacitated for work due to illness or injury not covered under workers' compensation, and who have exhausted all accrued sick leave and annual leave, may request a leave of absence without pay. The need for such leave shall be certified by a licensed medical practitioner, who shall determine whether the total time away from work, from the beginning date of disability, will be under or over six months.

- C. The unit administrator may require medical certification of the employee's ability to continue to work or to return to work. Periodic medical recertification during such a leave may also be required by the unit administrator.
- D. During a period of short-term medical leave without pay, unless otherwise required by law, the employee will be billed for medical and life insurance premiums. Failure to pay such premiums during the months in which the employee is billed may result in cancellation of insurance.
- E. The maximum length of the short-term medical leave without pay, combined with sick leave and annual leave, shall be six months, with a possible one-time extension up to six additional months with certification by a health care provider. No further extension will be granted.
- F. At the end of an approved medical leave without pay in which the total time away has not exceeded six months, the employee may return to the original position or one of equal rank if funds are available and if such a position is available at the time within the employing administrative unit. If the employee is unable to return to work, their employment will end and retirement benefits, if applicable, will begin.
- G. FMLA may be applicable for leaves of absence without pay. The unit administrator should contact University Human Resources for guidance regarding FMLA and/or processing the FMLA leave as appropriate.

3.08 Parental Leave

- A. Illness due to one's own pregnancy is treated as any other short-term disability and applicable leaves of absence will be utilized. Procedures for additional leave and benefits are available through University Human Resources.
- B. When requested by the employee, and where alternatives already exist or accommodation can be made, transfer may be granted by the department to less strenuous or safer duties as recommended by the health care provider. Please seek more information regarding alternatives and/or accommodations through the OSU Office of Equal Opportunity.
- C. Staff members shall not be penalized in their condition of employment because they require time away from work for childbearing purposes. In requesting parental leave, safety and childbearing shall be considered as justification for leave of absence for an employee for a reasonable length of time, and for reinstatement following childbirth without loss of seniority or accrued benefits.
- D. The necessary time away from work for parental leave shall be determined by a health care provider in accordance with FMLA and this sick leave policy and will include

use of sick leave, annual leave, compensatory leave (if applicable), and leave without pay.

- E. Use of sick leave under this policy will also be provided upon the placement or adoption of a child. Time away from work due to placement or adoption will provide access to use of up to six weeks (240 hours) of sick leave. This amount shall be prorated based upon FTE. Use of this leave will be held in conjunction with FMLA as appropriate under law and university policy.
- F. An employee meeting the eligibility criteria under FMLA may, upon completion and approval of the FMLA paperwork, utilize appropriate sick leave. Additional accrued leave can be used, as applicable under the conditions in OSU Policy and Procedures.

4.01 Extended Sick Leave Account

- A. Amounts of sick leave accrued each pay period in excess of the 1,600-hour maximum for regular sick leave will be transferred to an Extended Sick Leave Account.
- B. Employees who became members of the Oklahoma Teachers' Retirement System (OTRS) prior to July 1, 1992, may be able to apply unused sick leave to receive additional service credit for OTRS retirement benefits.
- C. This possibility of additional service credit is governed by rules and regulations of OTRS and is not awarded or regulated by Oklahoma State University. OSU facilitates the possibility of additional service credit by maintaining centralized records of sick leave accrual.
- D. When requested by OTRS, OSU will verify the accrued amount of sick leave to include both the regular sick leave amount and the extended sick leave amount.
- E. As of June 14, 2024, employees who have a combined accrued sick leave and extended sick leave balance of 960 hours may use this as credit towards one year of OSU service in relation to OSU retirement criteria. Doing so will not impact using accrued sick leave balances for OTRS purposes. OSU retirement criteria are (1) a minimum age of 62 and 10 years of continuous OSU service or (2) 25 years of continuous OSU service.
- F. The Extended Sick Leave Account will have no cash or actual sick leave value other than as indicated for OTRS and OSU retirement purposes above.

5.01 Oklahoma State University reserves the right to change this Policy and Procedure Letter or any portion thereof at any time and without prior notice.

5.02 This policy replaces applicable portions of 3-0705 Attendance and Leave for Classified Staff adopted July 1, 1970, with latest revision October 1988 and 3-0725 Attendance and Leave for Administrative/Professional Staff adopted September 1972 with latest revision October 1988.

Revised:

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Approved:

Leadership, May 2024

Board, June 2024