



Authority <b>State Personnel Commission</b>
Title <b>SPA Sick Leave Policy</b>
Responsible Office <b>Human Resources</b>
Subject <b>Leave</b>
Applies to <b>SPA Permanent Employees</b>

**History:** Last revised:

**Additional References:** OSP Sick Leave Policy

**Related Policies:** Family and Medical Leave, Leave Without Pay, Voluntary Shared Leave, Family Illness Leave, Workers' Compensation

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## 1. POLICY STATEMENT

Sick leave is granted to employees who are in pay status for one half or more of the regularly scheduled workdays and holidays in the pay period.

Sick leave may be used by an employee to recover from personal illness, injury, or disability which prevents performance of usual duties. Other uses of sick leave include absence due to:

- Adoption (limited to a maximum of 240 hours for each parent) or the temporary disability associated with childbirth,
- Medical or dental appointments for the employee or members of the immediate family,
- Illness or injury of a member of an employee's immediate family and also other dependents living in the household,
- Donations to a member of the immediate family who is approved to receive Voluntary Shared Leave
- Death of a member of an employee's family or of other dependents who lived in the employee's household.

## 2. DEFINITIONS

"Immediate family" refers to the following relations:

- Self (Employee)
- Spouse (husband or wife)
- Parent (biological, adoptive, or person who stood-in as “parent”)
- Child (biological, adopted, legal ward, foster care, or person for whom employee stands-in as “parent”)
- Sister or Brother (biological or adoptive)
- Grandparents
- Great-Grandparents
- Grandchildren
- Great-Grandchildren
- Step-, Half-, and In-law relations of the above
- Other dependents living in the household

### **3. LEAVE EARNINGS**

An employee with a permanent, probationary, trainee, or time-limited appointment (regularly scheduled to work twenty (20) hours or more each work week) who is in pay status for one-half or more of the regularly scheduled work days and holidays in a month earns sick leave for that month, except when an employee is being paid terminal leave pay. Employees who are on workers’ compensation leave without pay continue to earn sick leave.

A full-time employee earns sick leave at the rate of eight (8) hours per month. Part-time employees earn leave on a prorated basis according to the number of scheduled work hours each week. All vacation leave (hours and minutes) above the maximum carry-over amount is automatically converted to sick leave effective January 1, if employment status is maintained through at least December 31.

### **4. LEAVE ACCUMULATION**

Sick Leave is accumulated indefinitely without maximum as long as the employee is a permanent SPA employee. Employees do not forfeit unused sick leave except upon separation. However, if an employee retires, accumulated sick leave is credited toward years of service in the retirement formula. One month of retirement credit is allowed for each twenty (20) days, or any portion thereof, of sick leave.

Exceptions: The time in pay status created by an employee receiving terminal leave pay cannot result in additional earned sick leave. Employees who are on leave without pay due to workers’ compensation will continue to earn sick leave.

### **5. SCHEDULING LEAVE**

An employee shall give the supervisor reasonable advance notice of the need to use sick

leave. In the event of an emergency or other unplanned absence, the employee must notify the supervisor as close to the beginning of the work schedule as possible.

## **6. ADVANCEMENT OF LEAVE**

Sick Leave may not be advanced beyond the amount the employee will earn in the month of the request for advancement.

A negative sick leave balance cannot be carried over from one calendar year to the next. Management will either direct the employee to use available paid leave or paid time off to offset a negative sick leave balance, or have the overdrawn amount deducted from the employee's pay on an hour-for-hour basis. The offset must occur when a personnel action listed under "Recordkeeping" occurs or at the end of the calendar year, whichever occurs first. A negative sick leave balance at the time of separation is deducted from an employee's final paycheck.

## **7. VERIFICATION**

To avoid the abuse of sick leave privileges, the supervisor may require a statement from a medical doctor or other acceptable proof that the employee was unable to work due to personal illness, family illness or death in the family.

## **8. LEAVE WITHOUT PAY FOR EXTENDED ILLNESS**

If an employee, or the employee's child, parent or spouse, has a serious illness that qualifies under the Family and Medical Leave Act, the provisions of that policy shall be followed. If the illness does not qualify for the FMLA, the provisions of the Leave Without Pay Policy shall be followed.

NOTE: If an employee does not have sufficient leave to cover a prolonged illness (of self or to care for a parent, child, spouse, or dependent living in the household who has a prolonged illness), the employee may qualify to receive voluntary shared leave.

## **9. REINSTATEMENT OF SICK LEAVE**

Sick leave is restored to an employee's leave record when the employee returns from an approved period of leave without pay, or if he/she is reinstated to State service within five years of any type of separation. Sick leave will also be reinstated when an employee returns to State service within five years after separating from SPA employment with a local government, public school, community college or technical institute.

## **10. ON-THE-JOB INJURY**

When an employee is injured on the job as a result of a compensable accident and loses time from work due to the injury, the employee is not charged leave for time lost from work on the day of the injury.

## 11. RECORDKEEPING

The employee's department maintains and retains individual leave records for current employees. For terminated or transferred employees, the department shall

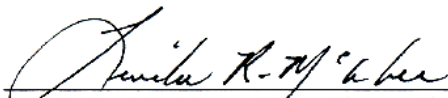
The department must balance each employee's sick leave record at the end of each calendar year and when the employee:

- Transfers to another NC A&T SU department,
- Transfers to another State agency,
- Terminates employment with the State,
- Is separated by reduction in force (layoff),
- Schedules family and medical leave,
- Participates in voluntary shared leave,
- Goes on long-term military leave,
- Enters leave without pay status,
- Is covered by Workers' Compensation,
- Is covered by the Disability Income Plan (DIP),
- Retires, or
- Dies.

Sick leave must be transferred when an employee transfers to another University department or to another State agency. If the employee's new agency is willing to accept some or all of the leave, it may be transferred to a:

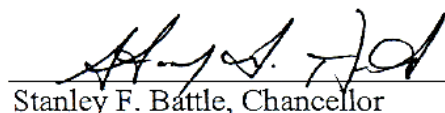
- Public school system,
- Community college, or
- Local Department of Human Resources agency.

Approved:



Linda R. McAbee, Vice Chancellor for Human Resources

Date: 1/10/08



Stanley F. Battle, Chancellor

Date: 1/10/08