

University of Arkansas Staff Handbook

7. Paid and Unpaid Leave

7.3 Sick Leave

(Board Policy 420.1, 420.2); Arkansas Code Annotated § 21-4-501 through 504, § 19-4-1607(b)(2), and § 19-4-1613(a)

If you work at least 1,000 hours per year in an appointed position, and you are not employed in a student title (such as Student Assistant, Professional Student Assistant, Graduate Assistant, Senior Graduate Assistant, or Master Lecturer), you earn sick leave. You earn sick leave at the rate of eight hours, or one day, for each full month of employment, if you work full-time. If you work less than full-time, but 1,000 hours or more per year, you earn sick leave at a rate proportional to the time you work. If you work less than 1,000 hours per year, you do not earn sick leave. You accrue sick leave only when you are in a paid status, including when you are on leave with pay. You do not earn sick leave for any calendar month during which you are on leave without pay for ten or more days, or an equivalent proportion if your appointment is less than 100%.

Your accrued sick leave cannot exceed 120 days (960 hours) on January 1 of each year. Your total accrued sick leave may be more than 120 days during the year, but any amounts over 120 days will be lost if you do not use them by December 31 of each year. The BASIS Leave Accounting system credits your full monthly sick leave on the first of each month. If you end employment with the University, your last month's sick leave accrual will be prorated to correspond with your termination date. If you transfer without a break in service to another state agency or institution of higher education, you will retain your accumulated sick leave. If you are laid off because of budgetary reasons or curtailment of University activities and return to University employment within six months, your accrued, unused sick leave at the time of the lay-off may be restored to your account.

If you are an appointed classified employee, you will be paid for unused, accumulated sick leave when you retire. The amount you are paid will be calculated according to the following formula:

- If you have accumulated at least 50 days of sick leave, but less than 60, you will receive 50% of the number of days accrued times 50% of your daily salary.
- If you have accumulated at least 60 days of sick leave, but less than 70, you will receive 60% of the number of days accrued times 60% of your daily salary.
- If you have accumulated at least 70 days of sick leave, but less than 80, you will receive 70% of the number of days accrued times 70% of your daily salary.
- If you have accumulated at least 80 or more days of sick leave, you will receive 80% of the number of days accrued times 80% of your daily salary.
- The maximum payment at retirement will be \$7,500.
- If you die while you are actively employed, a payment for unused sick days will be made to your estate, using the same formula.

If you receive pay for unused sick leave at retirement and return to state employment, you are not required to wait the number of days for which you received the sick leave pay, nor are you required to repay the sick leave compensation.

Sick leave is granted on the basis of work days, not calendar days. Non-work days, such as holidays and weekends, are not charged to sick leave. Sick leave may not be used in addition to or instead of annual leave, but is to be taken only when you must be absent from work because of illness or injury or to keep an appointment with a physician, dentist, optometrist, chiropractor, osteopath, or mental health care provider. You may also use sick leave when a member of your immediate family is seriously ill or dies. Immediate family includes your father, mother, sister, brother, husband, wife, child, grandchild, grandparents, in-laws, or anyone acting as your parent or guardian. If you are absent from work because of a temporary work injury or illness that entitles you to

workers' compensation benefits, you may use sick leave as a supplement to your workers' compensation benefits. The combination of workers' compensation benefits and sick leave pay cannot equal more than your regular salary.

If you are absent from work because of an illness or injury or for any other reason that makes you eligible for sick leave, your leave will be charged in the following order: (1) earned sick leave, (2) any earned compensatory or holiday time, (3) earned annual leave, (4) leave without pay, except when you take maternity leave.

If you wish to use sick leave for a medical, dental, or optical appointment, for a scheduled hospital stay, for a funeral, or for any other use that you are aware of in advance, you should make a request to your supervisor, as early as possible. If you cannot come to work because you are ill, you must notify or have someone else notify your supervisor within the first hour of the work day. Some departments may require earlier notice. Notification should be made on the first day you are ill and on each subsequent work day, unless you provide a statement from your physician defining a range of time you will be absent because of illness or injury. If you are returning to work after an extended absence because of illness, injury, or surgery, you should give your supervisor as much advance notice as possible.

If you are absent because of illness or injury for five or more consecutive days, you may be asked to furnish written proof of illness or injury from a doctor. Some departments may require proof of illness or injury after three consecutive days. Fraudulent claims of illness or injury and patterns of abuse of sick leave may result in disciplinary action.

If you are absent from work because of a temporary occupational illness or injury and are entitled to Workers' Compensation benefits, you may use sick leave to supplement your Workers' Compensation so that your weekly pay from both sources is equal to (but does not exceed) your normal pay at the time of the injury or onset of the illness. Your accrued sick leave will be reduced by the amount you use to supplement Workers' Compensation. If you are receiving Workers' Compensation benefits for a permanent disability, you are eligible for full pay from both sources until your accrued sick leave is exhausted.

If you are recuperating from an injury, an illness, or surgery and your doctor approves your return to work but places restrictions on what you can do, the University will make every effort to accommodate the restrictions. You will need to provide a statement from your doctor releasing you to full duty or identifying your restrictions. Your supervisor will review the restrictions to determine whether you can successfully carry out your job responsibilities within the limitations they impose. Your physician may be contacted to obtain further information about your restrictions, and the University Health Center may be consulted for a second opinion, when necessary.

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