

Responsible Office: Human Resources

Applies to: Faculty and Staff

Approved: 03/15/2022

Policy: Sick leave represents an "insurance" type benefit for absence due to personal illness or injury and for illness, injury or death of an immediate family member of the covered employee. The policy also covers a quarantine required by exposure to a contagious disease. Sick leave benefits are administered by the Human Resources Department in accordance with the policy guidelines which follows.

Guidelines:

I. Definitions:

- a. **Eligible Employee:** Faculty or staff members who are employed on a regular, annual renewable appointment (including grant funded) with at least a .5 FTE classification.
- b. **Immediate Family Member:** Employee's spouse or domestic partner, parents, children, grandparents, siblings, grandchildren, brother- in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings, or a legal guardian or other person who stands in the place of a parent (in loco parentis) or other persons residing in the home of the employee.

II. Crediting of Sick Leave

- a. Exempt Employees
 - i. Sick leave is earned at 10 hours per month for 1.0 FTE employees on 12-month appointment.
 - ii. Sick leave is pro-rated for all other Eligible Employees.
 - iii. Sick leave is earned while in an active pay status including paid vacation, sick, Family and Medical Act ("FMLA") leave and military leave.
 - iv. Sick leave is not earned on overload assignments (including summer instruction) or an unpaid leave of absence, including unpaid Family and Medical Leave Act ("FMLA") leave or layoff.
- b. Non-exempt Employees
 - i. Sick leave is earned at 4.6 hours for each eighty hours worked for 1.0 FTE employees.
 - ii. Sick leave is pro-rated for all other Eligible Employees.
 - iii. Sick leave is earned while in an active pay status including paid vacation, sick Family and Medical Act ("FMLA") leave, and military leave.
 - iv. Sick leave is not earned on an unpaid leave of absence, including unpaid Family and Medical Act ("FMLA") leave or layoff.
- c. The accumulation of sick leave credits shall be unlimited.

III. Transfer of Sick Leave

- a. Sick leave credit is retained when an employee transfers from another State of Ohio agency, institution, school, or public facility to Rhodes State College. Proof of sick leave credits must be furnished to the College. Once received, the balance is added to the accumulated sick balance and is usable while employed with the College.
- b. Per Ohio Revised Code 124.38, the previously accumulated sick leave of an individual who has been separated from a state agency employment shall be placed to his/her credit upon re-employment in a state agency, provided that reemployment takes place within ten (10) years of the date on which the individual last terminated employment. (Does not apply if individual retires and elects one-fourth accrued leave cash payment. See VIII. Retirement Payout of Sick Leave.)

IV. Uses of Sick Leave

- a. Immediate notification of sick leave must be submitted to supervisor with authorization following. Overload assignments (including summer overloads) do not qualify for sick leave.
- b. Sick leave shall be granted for the following reasons:
 - i. Illness or injury of the employee, or an Immediate Family Member who requires care.
 - ii. Services for placement of a child with employee for adoption.
 - iii. Death of an Immediate Family Member (sick leave usage limited to five days).
 - iv. Medical, dental, optical, mental health examination or treatment of the employee or an Immediate Family Member.
 - v. Exposure to a contagious disease which can be communicated to other employees.
- c. An employee who becomes eligible for Workers' Compensation payment for loss of time may choose to use sick leave before such payments are made. See [Policy 5.4 Workers' Compensation](#).
- d. The use of sick leave will not forfeit an employee's right to request a medical leave of absence (See [Policy 6.7 Leaves of Absence](#) and [Policy 6.7.1 Family Medical Leave Act](#)).
- e. If illness or disability continues past the time covered by earned sick leave, the employee may be granted a medical leave of absence in accordance with [Policy 6.7, Leaves of Absence](#). Also, the employee may be eligible for short-term or long-term disability insurance.

V. Charging of Sick Leave:

- a. Sick leave shall be charged in minimum units of $\frac{1}{4}$ of an hour increments, and will be charged based upon eight-hour work days/forty-hour work week. An employee will be charged for sick leave only for days upon which he/she would otherwise have been scheduled to work. For faculty, no charge will be made for sick leave during breaks between semesters. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.
- b. A record of the employees' accrued but unused sick leave and used sick leave shall be maintained in the Human Resources Department.

VI. Evidence Required for Sick Leave Usage

- a. Each request for sick leave usage must be submitted to immediate supervisor for review and approval.
- b. The College may require an employee to furnish a satisfactory written signed statement to justify the use of sick leave. If medical attention is needed, a certificate stating the nature of the illness or injury from a licensed primary care provider may be required to justify the use of sick leave. Falsification of either a written, signed statement or a primary care provider’s certificate shall be grounds for disciplinary action including, but not limited to, dismissal.

VII. Compliance

- a. Employees failing to comply with sick leave rules and regulations will not be paid for absences covered by sick leave.
- b. Use of sick leave with the intent to defraud shall be grounds for disciplinary action including, but not limited to, dismissal from Rhodes State College and refund to the College of salary or wages paid during sick leave.

VIII. Retirement Payout of Sick Leave

- a. Per Ohio Revised Code 124.39, upon retiring from active employment after ten (10) or more years with a State of Ohio agency, an employee may elect to be paid for one-fourth of the accrued but unused sick leave. The maximum payment will not exceed 240 hours. This payment will be based upon his/her rate of pay at the time of retirement. Upon accepting such payment, all sick leave credit accrued up to that time will be eliminated.
- b. No retirement contribution will be deducted for sick leave payouts.
- c. Retirement payment will be made only once to an individual. That is, an individual who returns to state employment after retiring may accrue and use sick leave as before, but may not convert the unused sick leave at the time of a second retirement.

Related Policies or Procedures:

[Leaves of Absence Policy 6.7](#)

[Workers’ Compensation Policy 2.11](#)

[Family and Medical Leave Policy 6.7.1](#)

Leave Requests Procedure

Compliance References:

[Section 124.38 - Ohio Revised Code | Ohio Laws](#)

[Section 124.39 - Ohio Revised Code | Ohio Laws](#)

History:

	Date:	Reason:
Issued:	03/15/2022	Replaces Policy 6.6 Sick Leave, Board of Trustees approved August 1991
Revised:	MM/DD/YYYY	



This policy and / or procedure provides operating principles for Human Resources issues at Rhodes State College. It supersedes any prior policy covering specific subject. This policy and / or procedure may be suspended, modified or cancelled as determined by the College. This policy and / or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.