

3352-5-05 Sick leave.

(A) Eligibility and accrual rates.

- (1) Fiscal faculty, academic faculty, and unclassified exempt staff, who are appointed ~~on one~~ to hundred per cent full-time-equivalency (FTE) contracts, earn ten hours (one and twenty-five hundredths days) of sick leave per month of employment. Unclassified non-exempt employees appointed to one hundred percent FTE earn four and sixty-two tenths per bi-weekly pay period. Personnel in these appointed categories appointed on less than one hundred percent FTE contracts earn sick leave on a prorated basis. Fiscal and academic faculty and unclassified exempt staff who are employed for a partial month either at the beginning or termination of employment or who work a partial month because of unpaid leave status will accrue sick leave prorated on the basis of actual days worked during that month.
- (2) Fiscal and academic faculty and unclassified exempt staff who are employed for a partial month either at the beginning or termination of employment or who work a partial month because of unpaid leave status will accrue sick leave prorated on the basis of actual days worked during that month.
- (32) Classified non-exempt staff earn four and six tenths hours of sick leave for every eighty hours in active pay status.
- (43) There is no limit to the amount of sick leave an employee may accrue.
- (54) Sick leave accrual is not credited to the employee or available for use until after the pay period in which it is earned has been completed. An employee who wishes to use sick leave during a given pay period, but has not earned that sick leave until the end of that pay period, will not be paid for sick leave hours taken and may be considered to be in an unauthorized, unpaid leave status. Employees in unauthorized, unpaid leave status will be considered to have abandoned their job and be subject to progressive disciplinary action up to and including termination. However, employees may seek authorized, unpaid leave on a case-by-case basis and will not be disciplined for such use if approved.

(B) Legitimate uses of sick leave.

- (1) ~~Sick leave may not be approved or used instead of vacation leave.~~ Sick leave may be requested and granted only for the reasons listed in paragraphs (B)(1)(a) to (B)(1)(d) of this rule.
 - (a) Illness/injury of the employee or a member of the employee's immediate family that requires the attendance of the employee. The university may require a physician's statement certifying that the employee's attendance is/was required. The immediate family normally includes spouse, grandparents, father, father-in-law, mother, mother-in-law, child, daughter-in-law, son-in-law, brother, brother-in-law, sister, sister-in-law, grandchild, and a legal guardian or person who stands in place of the parent, and a registered domestic partner. A domestic partnership is defined as a committed relationship between two adults, regardless of gender, who are domiciled together. A signed affidavit describing the characteristics of a domestic relationship must be on file in the department of human resources prior to use of sick leave.
 - (b) Exposure of the employee to a contagious disease which could be communicated to and jeopardize the health of other employees. Such a request for sick leave must be reported immediately to a supervisor and to the leave and disability coordinator in the department of human-resources for approval. To protect the safety of all employees, notice of both exposure and potential contagion is essential. Any personal information is protected, however. This notice must include proof of both exposure and potential contagion.
 - (c) Medical, psychological, dental, or optical examination of the employee or a member of the employee's immediate family that requires the attendance of the employee. When the appointment requires the attendance or the full day absence of the employee, the university may require proof of the required attendance of the employee, or the full day absence. Employees must communicate with their supervisors to schedule planned medical appointments in a manner that minimizes departmental disruption due to the absence.

(d) Death of a member of the employee's immediate family. Paid absence is limited to five days. Supervisors may require reasonable proof to justify the use of sick leave for the purpose of bereavement.

(2) ~~Sick leave may not be approved or used instead of vacation leave. Sick leave with pay may be requested and approved only for leave already earned. Except for qualifying family and medical leave act (FMLA) absences, employees may not be in unauthorized unpaid leave status. Employees in unauthorized, unpaid leave status will be considered to have abandoned their job and will be subject to progressive disciplinary action up to and including termination.~~

(3) Sick leave payment may not exceed scheduled earnings and may only be charged for days the employee is normally scheduled to work.

(C) Authorization

(1) Use of sick leave for all university employees must be approved by the employee's supervisor or the supervisor's official designee ~~after submission of a sick leave/vacation request form available online at www.wright.edu/hr~~ and recorded in the Banner time recording system. When necessary, other appropriate and required documentation as stipulated by university policy may ~~accompany the form~~ be required.

(2) When an employee has prior knowledge of the necessity to use sick leave, he/she should ~~complete a leave request form available online at www.wright.edu/hr~~ and present it the request to his/her supervisor for approval prior to the use of leave using whatever method the supervisor has designated (email the leave request form found at www.wright.edu/hr or other appropriate method designated). These options are departmental specific.

(3) An employee who is unable to report to work shall notify his/her supervisor or other designated person. Notification should be given before the employee's work time, if possible, but in no case should it be later than one-half hour after the time the employee is scheduled to report to work. In departments of the university which operate twenty-four hours a day, seven days a week, notification should be given two

hours before the time the employee is scheduled to report to work. Supervisors, directors, and department chairs should inform all personnel reporting to them in writing of any specific notification procedures required in their areas for use of sick leave.

- (4) All employees are required to furnish a satisfactory written justification for use of sick leave on a leave request form available online at www.wright.edu/hr or by email to their supervisor based upon departmental protocols. This justification must constitute an authorized use of sick leave based on paragraph (B)(1)(a) of this rule. Failure to provide justification for the authorized use of sick leave will be grounds for denial of the use of sick leave, and/or disciplinary action up to and including termination.

If professional medical attention is required by the employee or member of the employee's immediate family, or if the employee is absent more than three consecutive work days, a certificate from a licensed physician verifying the employee's inability to report to work may be required. The decision to approve or deny sick leave shall be made after the supervisor has received the required documentation, and such approval is discretionary. The documentation and leave request form, if used, shall be submitted on the day of return from sick leave, if approval has not been granted in advance. Failure to request sick leave in advance when possible may be grounds for disciplinary action.

Manager's and/or supervisors must immediately notify human resources upon any employee's medical or unpaid absence of more than three work days.

(D) Records of accrual and use.

- ~~(4) Records of sick leave usage for fiscal faculty and salaried unclassified staff are to be recorded and reported monthly by a designated record keeper in each primary department. The designated record keeper is responsible for maintaining the leave request form for all personnel reporting to that unit. By the seventh day of each month, the designated record keeper shall compile the sick leave and vacation hours used from the previous month, complete a sick leave/vacation summary form, and~~

~~submit the form to the appropriate representative in the department of human resources. on the banner leave reporting system. Each employee is responsible for reporting their time used accurately and supervisors are responsible for verifying leave used for all personnel reporting to them.~~

(2) Approved sick leave usage for all absences for fiscal faculty and unclassified exempt staff are deducted from the ~~prior~~ current balance by the ~~representative in the department of human resources banner system.~~ The resulting balance will be available for viewing in WINGS express. Usage, however, is typically one month in arrears. ~~For example, the balance reported on June thirtieth will typically include accruals through the end of June and usage through the end of May. The current balance will always be reflected accurately after the leave reporting period.~~

(3) ~~Leave request forms for all employees shall be kept in the employee's department for auditing purposes for a period of two years. Only original leave request forms for parental and unpaid leave, and sick and vacation leave used in the context of FMLA must be forwarded to the leave and disability coordinator in the department of human resources.~~

(34) The department of human resources maintains sick leave balances in the human resources information system. Employee sick leave balances are available online in WINGS express.

(E) Transfer of accrued sick leave. When a new employee has qualifying prior service with another Ohio state agency, accrued sick leave will be transferred from the applicable Ohio state agency provided the time between separation and reappointment does not exceed ten years. Upon employment, the employee will provide a letter from applicable Ohio state agency that documents the date of separation and the sick leave balance at the time of separation.

When a former Wright state university employee begins employment with another Ohio state agency, accrued sick leave will be transferred to that Ohio state agency, provided the time between separation and reappointment does not exceed ten years. The department of human resources will provide

documentation of the former employee's date of separation and the sick leave balance upon separation, upon the written request of the former employee.

- (F) Retirement and death payment of sick leave.
- (1) After ten years of state service and upon retirement or death, an employee or his/her estate may receive a cash settlement equivalent to one-fourth of the value of accrued but unused sick leave up to a maximum of thirty days (two hundred forty hours). Payment is based upon the employee's rate of compensation at the time of retirement or death. Such payment eliminates all sick leave credit of the employee.
 - (2) A retirement payout for sick leave shall be made only once to any employee. An employee who returns to state service after retirement and receipt of cash payment for sick leave credit may accrue and use sick leave as before, but may not receive a cash settlement for the unused sick leave at the time of a second retirement.
- (G) Termination/ separation/retirement accrual record. When a fiscal faculty member or unclassified staff member separates from the university, the supervisor ~~or recordkeeper in the primary department~~ shall ensure the employee has updated their banner leave report accordingly before the last work day. forward the record of sick leave usage that occurred during the last month of employment to the appropriate human resources representative in the department of human resources. The information shall be used to reconcile Doing this step will allow the department of human resources to reconcile the employee's sick leave balance and determine the amount of payment due, providing the employee is eligible for such payment, and/or to maintain accurate record of accrual for transfer to another Ohio state agency.
- (H) Patterned sick leave abuse, excessive uncertified sick leave usage and intent to defraud.
- (1) The university defines patterned sick leave usage as including, but not being limited to, repeating usage before or after weekends, holidays, vacations or compensatory time, and prompt usage after the accrual of sick time, as well as repeated usage on the same day of the week or time of the day and during peak workload and critical

project periods. Managers must monitor employee use of sick leave for patterns of abuse. Employees abusing their sick leave are subject to progressive disciplinary action up to and including termination.

- (2) Employees with frequent occurrences of sick leave without the usage of such leave being certified by a physician are subject to progressive disciplinary action up to and including termination.
- (3) Application for use of sick leave with the intent to defraud shall be ground for disciplinary action up to and including termination.
- (4) Sick leave absences that are supported by a physician's statement that expressly excuses the absence, or that qualify as family and medical leave or worker's compensation will not be used to determine sick leave abuse.

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Certification

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