

## Proposed Changes to Regulations: Sections II.B.12.c.5. and II.C.7.d.4., Employee Benefits – Sick Leave

At the March 29, 2013, Board of Trustees meeting, the Board approved First Reading of proposed changes to the Board Regulations, Sections II.B.12.c.5. and II.C.7.d.4., Employee Benefits – Sick Leave.

During the interim between first reading and final Board action, the proposed changes are publicly posted for campus input. Any comments regarding the revisions must be received in writing and will be shared with the Board prior to the second reading and final action which is planned for the June 7, 2013, Board of Trustees Meeting. All comments received will be shared with the Board before the June 7 meeting. Please send any written comments to the President's Office by Friday, May 24, 2013.

Following are the Resolution passed by the Board on March 29 and the Employee Benefits – Sick Leave with proposed revisions.

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### **Resolution:**

**WHEREAS** the Board of Trustees must approve changes to Regulations prior to implementation; and,

**WHEREAS** an external audit identified current university policy that is inconsistent with Board regulations; and,

**THEREFORE** be it resolved that the Board of Trustees approve revisions to Section II.B.12.c.5 and II.C.7.d.4.

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## **II. Employees (continued)**

### **B. Faculty and Administrative Employees (continued)**

#### **12. Employee Benefits (continued)**

##### **c. Sick Leave (continued)**

receive those benefits according to their agreement

- (4) Deductions of sick leave shall not be made during any Board approved holiday. One day of sick leave shall be deducted for each day an employee is absent because of injury or illness.

No more than five days of sick leave shall be deducted in any one calendar week.

- (5) (a) Upon termination of employment, and provided the employee is not reemployed at the same place of employment within 30 calendar days, an employee, or such employee's estate, shall be entitled to a lump sum payment for accrued sick leave earned after December 31, 1983 **and prior to January 1, 1998**. The lump sum payment for accrued sick leave shall be computed as the product of the employee's daily rate of compensation and one-half of the lesser of the following: (i) the number of days, or fractions thereof, of cumulative sick leave earned by the employee, in accordance with paragraph (2) above, minus any days, or fractions thereof, of cumulative sick leave used by the employee; or (ii) the number of days, or fractions thereof, of cumulative sick leave earned by the employee in accordance with paragraph (2) above after December 31, 1983 and prior to January 1, 1998. Non-cumulative sick leave days shall be used first, and cumulative sick leave days shall be used in the ~~order in which they have been accrued~~ **following order: pre-January 1, 1984; post-December 31, 1997; January 1, 1984 through December 31, 1997**. No lump sum payment shall be made for noncumulative sick leave.

- (b) An employee may waive payment for all or part of his/her eligible accrued sick leave (one-half of the employee's accumulated and unused sick leave earned after December 31, 1983 and prior to January 1, 1998) by executing an appropriate waiver form prior to termination of employment.
  - (c) An employee who has received a lump sum payment for accrued sick leave and who, within two years, is reemployed by the Board may, if separated in good standing, have his or her accrued sick leave restored if, within 30 days after commencement of such reemployment, the employee repays said lump sum payment to the Board for the benefit of the location at which accrued sick leave is restored. For each day of sick leave to be restored, the employee shall repay the gross amount he or she was paid for one day of accrued sick leave. An employee may have part or all of his or her accrued sick leave restored in this manner; however, if the employee does not make any such repayment to the Board, he or she shall not be entitled to have any such sick leave so restored.
- (6) The Board, through its authorized representatives, reserves the right to require acceptable evidence of illness or disability with respect to the use of sick leave.

**Employees (continued)**

**C. Civil Service Employees (continued)**

**7. Employee Benefits (continued)**

**d. Sick Leave (continued)**

- (4) (a) Upon termination of employment at the University and provided the employee is not reemployed at the same place of employment within 30 calendar days, an employee, or such employee's estate, shall be entitled to a lump sum payment for accrued sick leave earned on or after January 1, 1984 and prior to January 1, 1998.
- (b) The lump sum payment for accrued sick leave shall be computed as the product of the employee's daily rate of compensation and one-half of the lesser of the following: (i) the number of days, or fractions thereof, of sick leave earned by the employee, in accordance with paragraph (1) above, minus any days, or fractions thereof, of sick leave used by the employee; or (ii) the number of days, or fractions thereof, of sick leave earned by the employee in accordance with paragraph (1) above after December 31, 1983 and prior to January 1, 1998. ~~Sick leave days shall be used in the order in which they have been accrued.~~ ***Accrued sick leave days shall be used in the following order: pre-January 1, 1984; post-December 31, 1997; January 1, 1984 through December 31, 1997.***
- (c) An employee may waive payment for all or part of his/her eligible accrued sick leave (one-half of the employee's accumulated and unused sick leave earned after December 31, 1983 and prior to January 1, 1998) by executing an appropriate waiver form prior to termination of employment.
- (d) An employee who has received a lump sum payment for accrued sick leave from an employer covered by the State Universities Civil Service System and who, within two years,

is employed or reemployed by the Board may, if separated in good standing, have his or her accrued sick leave restored if, within 30 days after commencement of such employment or reemployment, the employee pays said lump sum payment to the Board for the benefit of the location at which accrued sick leave is restored. For each day of sick leave to be restored, the employee shall repay the gross amount he or she was paid for one day of accrued leave. An employee may have part or all of his or her accrued sick leave restored in this manner; however, if the employee does not make any such payment to the Board, he or she shall not be entitled to have any such sick leave so restored.

- (5) An employee may use accumulated sick leave only when the employee is prevented from performing assigned duties because of illness, injury, or temporary disabilities caused or contributed to by pregnancy, or is obtaining medical or dental consultation or treatment, or for special circumstances stipulated under the Bereavement Leave provision of these Regulations. An employee may use up to twelve (12) days of earned sick leave per calendar year for absences resulting from the illness or injury of a parent, spouse, domestic partner, or child. The use of sick leave for familial purposes in excess of the twelve-day limit may be granted by the employer representative upon evidence of need and recommendation of the supervisor.