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## **REASON FOR POLICY**

Needs to be developed

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## **ENTITIES AFFECTED BY THIS POLICY**

Needs to be developed

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## **WEB SITE ADDRESS FOR THIS POLICY**

If the policy is not posted as a separate file on the policy library, please provide the link in the spreadsheet.

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## **RESPONSIBLE OFFICE**

For questions about this policy, please contact the Office of the Vice President of Finance and Administration at (541) 346-XXXX [vpfa@uoregon.edu](mailto:vpfa@uoregon.edu).

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## **ENACTMENT & REVISION HISTORY**

Stat. Auth.: ORS 240 & ORS 351.070

Stats. Implemented: ORS 351.070

Hist.: HEB 3-1978, f. & cert. ef. 6-5-78; HEB 6-1984, f. & cert. ef. 7-16-84; HEB 2-1985, f. & cert. ef. 3-4-85; HEB 1-1993, f. & cert. ef. 2-5-93; HEB 5-1996, f. & cert. ef. 12-18-96; OSSHE 6-2001(Temp), f. & cert. ef. 12-5-01 thru 5-1-02; OSSHE 3-2002, f. & cert. ef. 5-1-02

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## **POLICY**

(1) Eligibility. All full-time academic staff will be credited with eight hours of sick leave for each full month of service, or two hours for each full week of service less than one month. Part-time academic staff employed .50 FTE appointment or more will be credited pro rata amount. Graduate assistants are not eligible to accrue or to use sick leave. An academic staff member whose appointment is less than .50 FTE is not eligible to accrue sick leave, but is eligible to use a prorated amount of sick leave accrued but unused while previously employed .50 FTE or more. In addition, sick leave is not earned or used during sabbatical leave, educational leave or leave without pay. Sick leave credit shall be earned during sick leave with pay and during other periods of paid leave. There is no limit on the amount of sick leave that may be accrued.

(2) **Earned Sick Leave Use.** Academic staff who have earned sick leave credits must use the credits for any period of absence from service that is due to the employee's illness, injury, disability resulting from pregnancy, necessity for medical or dental care, exposure to contagious disease or attendance upon members of the employee's immediate family (employee's parents, spouse, children, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law or another member of the immediate household) where employee's presence is required because of illness or death in the immediate family of the academic staff member or the academic staff member's spouse. As an alternative, the academic staff member can request to be on sick leave without pay. The institution may require a physician's certificate to support the sick leave claim for any absence in excess of 15 consecutive calendar days or for recurring sick leave use. The institution may require a physician's certificate before allowing return to work to certify that the return would not be detrimental to the academic staff member or to others.

(3) **Recordkeeping.** At the time and in the manner prescribed by the Chancellor, each academic staff member covered by these provisions shall certify to the officer designated the amount of sick leave earned and the amount of sick leave with pay used. Sick leave records will be maintained in an appropriate file at the institution.

(4) **Sick Leave Without Pay.** The institutional president or designee may grant sick leave without pay for up to one year when the academic staff member has used all accrued sick leave with pay. The academic staff member must submit a written request for leave and shall be required to submit a physician's certificate. Extensions beyond one year may be granted on a year-by-year basis.

(5) **Unearned Sick Leave Advance.** The purpose of this section is to provide salary continuance for up to 90 calendar days of absence due to illness through a combination of accrued and advance sick leave. Each full-time academic staff member is entitled to receive a sick-leave-with-pay advance as needed to provide the difference between sick leave earned as of the onset of the illness or injury and 520 hours; part-time staff are eligible to receive a sick-leave-with-pay advance proportional to FTE to provide the difference between sick leave earned as of the onset of the illness or injury and a prorated 520 hours. As sick leave is earned, the amount shall replace any sick leave advanced until all advanced time is replaced with earned time. No more than a 520-hour sick leave advance is available during a seven-year period that begins with the first sick leave advance. More than one sick leave advance is possible as long as the total advance does not exceed 520 hours during a seven-year period. Sick leave that may have been advanced, but unused, cannot be considered for purposes of computing retirement benefits. Academic staff on fixed term appointment cannot receive an advance that extends beyond the end date of the fixed term appointment except upon written approval of the institution president or designee.

(6) **Transfer and Termination.** An academic staff member is entitled to transfer in unused sick leave earned with any other agency of the State of Oregon including sick leave earned in the classified service provided the break in service upon transfer does not exceed two years. An academic staff member who leaves employment with the State of Oregon and then returns is entitled to reinstate the previous unused, accrued sick leave. An academic staff member who terminates employment is not entitled to compensation for unused sick leave except in the calculation of the Public Employees' Retirement System (PERS) retirement benefit as provided

in ORS 237.153. As used in this subsection, and for these purposes only, the term "any other agency of the State of Oregon" shall include and apply to the Oregon Health & Science University (OHSU).

(7) Summer Appointments. Regular nine-month academic staff employed half-time or more to teach summer session or to work on summer wage appointments are eligible to accrue and to use sick leave during the period of such appointment. Regular nine-month staff employed less than half-time during summer session are not eligible to accrue sick leave, but are eligible to use a prorated amount of sick leave earned but unused while previously eligible to accrue leave. Other summer session teaching staff hired only to teach summer session are not eligible to accrue or to use sick leave.

(8) Workers' Compensation Integration. The purpose of this section is to insure that an academic staff member who receives a workers' compensation payment for lost time resulting from a compensable job-related illness or injury and salary paid for the same period of time does not exceed the academic staff member's regular salary for that period, and that paid leave is not charged for the payment received from workers' compensation:

(a) Salary paid for a period of sick leave that is taken as the result of a job-related illness or injury compensable under workers' compensation shall be equal to the difference between the worker's compensation benefit for lost time and the academic staff member's regular salary for the period for which the benefit is being paid. An academic staff member who is receiving workers' compensation time loss benefits can choose to use a prorated amount of accrued sick leave or a prorated amount of other accrued paid leave or sick leave without pay. Should an academic staff member elect to use other accrued paid leave for this purpose, instead of sick leave, the salary paid for this period shall be the difference between the workers' compensation benefit paid for lost time and the academic staff member's regular salary for the period for which the benefit is being paid. In such instances prorated charges will be made against the accrued paid leave;

(b) An academic staff member is not entitled to keep both salary, including paid leave, and workers' compensation benefits if the total exceeds the employee's regular salary. Each institution is responsible for coordinating the proration of salary, including sick leave or other paid leave, with workers' compensation lost time benefits. The institution is entitled and is responsible to recover any salary overpayment that may have occurred. An academic staff member who receives a regular salary payment and a workers' compensation lost time benefit payment shall immediately notify the institutional payroll or other designated officer of such overpayment and shall return promptly to the institution the amount of the salary overpayment. The institution shall recover the amount of salary overpayment through payroll deduction or by cash payment according to existing institutional procedures.

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## **RELATED RESOURCES**

Provide links to forms, external pages, implementation guides, etc. if applicable. Leave blank if not.