

University of Louisiana System

**Title: SHARED SICK LEAVE
PROGRAM**

Effective Date: September 24, 1999

Cancellation: None

Chapter: Faculty and Staff

Policy and Procedures Memorandum

I. Definitions

- A. **Shared Sick Leave** is leave hours donated by faculty and/or unclassified staff into a shared sick leave pool to be used by fellow faculty and/or unclassified staff who are suffering from their own serious health condition which has caused or is likely to cause the employee to take leave without pay or to terminate employment. Unclassified employees may irrevocably donate sick leave to the shared leave pool.
- B. **Serious Health Condition** (Family Medical Leave Act) is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job, that involves:
1. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 2. Any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider; or
 3. Continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are not “serious health conditions”, unless inpatient hospital care is required. Restorative dental surgery after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions are met (1, 2, or 3). Treatment for allergies or stress, or for substance abuse, are serious health conditions if any of the other conditions are met (1, 2, or 3). Routine preventive physical examinations are excluded.

II. Shared Leave for Faculty and Unclassified Staff

- A. Shared leave shall be applied for by the employee and may be taken only when approved by the review committee and the campus president or his/her designee. The supervising health care provider must provide written documentation of the need for leave. The review committee may choose to require an opinion from another health care provider, especially for extended leaves.
- B. To be eligible to participate in the Shared Sick Leave Program an employee shall:
 - 1. be a full-time faculty or unclassified staff member who is eligible to earn sick leave,
 - 2. have completed at least: (a) one academic year of service with the institution if employed on an academic year basis, or (b) one fiscal year of service with the institution if employed on a 12-month basis,
 - 3. have made a contribution of at least one day to the shared leave pool as a prerequisite to applying to use leave from the pool, and
 - 4. have used all his/her sick, annual, and compensatory leave before requesting sick leave from the pool.
- C. Participants shall retain three sick days at all times for personal use. Employees shall not be permitted to donate to the program if they have less than 3 days (24 hours) of sick leave. No employee who participates in the program may contribute more than two days of approved sick leave every three years. (This policy shall be monitored 6 months from now and every twelve months thereafter.)
- D. Employees who use leave from the pool shall not be expected to pay it back.
- E. Donations shall come from “sick” and not “annual” leave reserves.
- F. Donations shall only be allowed to the Shared Sick Leave Program pool and not to an individual. It is suggested that campuses address the process of granting leaves as well as what will occur if the leave pool runs low.

- G. Campuses shall limit the number of days an employee can draw from the Program to 22 days (176 hours) per calendar or fiscal year and up to 100 days per employee. The intent of the policy is to assist an employee's return to the workplace, not substitute for a long-term disability insurance policy.
- H. Days shall be transferred from the pool as used.
- I. Employees receiving workers compensation or benefits from a long-term disability insurance policy are not eligible to participate.
- J. This policy (and any policies adopted by campuses subsequent to this policy) shall not create a legal entitlement. Particular decisions to grant shared leave will be made at the campus level. If a university chooses to end its shared leave bank, any accrued leave would either be returned to active employees on a pro rata basis or would continue to be used through the bank until depleted.

III. Review Committee

- A. A review committee shall be appointed by the campus president to recommend approval/disapproval of requests for leave under the Shared Sick Leave Program.
- B. It is suggested that membership on the review committee shall be proportional to the participation by faculty and unclassified staff.

Policy References:

National and State Policies
Louisiana Revised Statutes
Attorney General Opinions

Review Process:

Faculty Advisory Council
Chief Officers for Student Affairs
Vice Presidents for Business and Finance
Board of Supervisors
University Presidents
Legal Counsel

Distribution:

University Presidents