

**Recommendation of the Policy Advisory Committee to Eliminate
SAAP 48a – Sick Leave Policy for Unclassified Staff**

Rationale: After consulting with Human Resources and Legal Affairs, the Policy Advisory Committee moves that S-48a be eliminated. Sick Leave for Unclassified Staff is handled at the UW System level (Unclassified Personnel Guidelines #10).

SICK LEAVE POLICY

No: S-48a

Authority: Resolutions 506 and 1092, UWS Chp 19,
Admin. Code, and Unclassified
Personnel Guideline 10

Date: October 1997 (rev. 3) Wis.
(Revised, 2/76; 12/93)
(Original, June 8, 1973)

This policy should be used in conjunction with Federal Family and Medical Leave Act of 1993.

ACCUMULATION OF LEAVE

Staff members covered under the Wisconsin Retirement System (WRS) and whose initial appointments are for nine months or more shall be granted 22 working days¹ (i.e., Monday through Friday exclusive of holidays) of leave which they may draw upon as required by illness, injury, disability, pregnancy, or bereavement upon the death of a family member as well as during periods associated with attendance upon immediate family members whose condition requires direct care, the birth of a natural child, or the placement for adoption of a child with the employee. After 1 ½ years of service, additional nonlapsing leave is earned at the rate of 1 day per month for persons holding annual appointments, 6 days per semester for persons who hold academic year appointments with a maximum annual accumulation limited to not more than 12 days. Unused sick leave shall accumulate from year to year in the staff member's account. Staff members covered under WRS with initial appointments of fewer than nine months (or staff who have previously received the 22 day entitlement) earn leave at the monthly rate.

If a staff member takes sick leave, the rate of sick leave compensation shall be the rate of salary which the staff member would have normally received. Other than the 22 days of sick leave granted to the staff member upon appointment, sick leave may be taken only after it has been earned (i.e., it may not be anticipated). A staff member utilizing paid sick leave continues to accumulate sick leave during the period of absence. However, a staff member shall not accumulate sick leave while on an unpaid leave of absence. Previously accumulated sick leave shall not be affected by unpaid leaves of absence.

PRORATION OF ACCUMULATED SICK LEAVE

Initial entitlement and accumulation of sick leave as specified in the preceding section assume a full-time appointment of 9 months or more. Part-time appointees covered under the Wisconsin Retirement System have an initial entitlement, earn and are charged sick leave in proportion to the extent of their appointment.

¹

¹The word “days” wherever used in this document, refers to working days.

S-48a
Sick Leave Policy

Page 2

CANCELLATION AND REINSTATEMENT

If a staff member leaves employment within the University of Wisconsin System, other than through retirement or death, unused sick leave will be terminated but will be reinstated if the staff member is reappointed to any state service position within three years.

FACULTY* WITH TEACHING RESPONSIBILITIES

In any semester in which a faculty member who has teaching responsibilities is entitled to use sick leave, the provisions of this policy shall be modified as follows:

- (1) If a faculty member’s duties are assumed by colleagues for the duration of the semester, as has been the traditional way of covering teaching responsibilities, the absent individual will not be required to use sick leave until the end of the semester in which the absence began.
- (2) If a replacement is appointed to assume the faculty member’s responsibilities, he or she must use sick leave.

Colleague coverage is available only during the semester in which an illness begins. After that, staff members must use sick leave; vacation/floating legal holiday (if available); or, leave without pay.

USE OF SICK LEAVE FOR MEDICAL ABSENCE THAT CAN BE ANTICIPATED

In order to minimize disruption of the academic program and the attendant demands on students and staff, a member of the faculty who has teaching responsibilities and who expects absence under this policy during an upcoming semester may, with two months’ advance notice, elect to receive a combination of paid and unpaid leave for the entire semester. Such leave will be taken only at the option of the faculty member, but the University may require proof at the time two months’ notice is given that the anticipated absence cannot be arranged so as to avoid interruption of teaching duties. Under this clause the faculty member may receive the sick leave benefits for which he or she would have been eligible had the staff member remained on duty up to the time of disability. Other portions of the semester not covered by sick leave will be on leave without pay.

* For the purpose of this document, teaching academic staff shall be accorded the same sick leave provisions as members of the teaching faculty. Visiting faculty whose home institutions do not provide sick leave shall also be covered by the provision.

S-48a
Sick Leave Policy

Page 3

GENERAL SICK LEAVE PROVISIONS**

Employees who have accrued sick leave under UWS 19 are eligible to use such sick leave for periods of absence from employment, as follows:

1. For absence due to personal illness, injury, disability or pregnancy;
2. For attendance upon an immediate family member whose condition requires the employee's direct care; and
3. For the death of a family member.

In accordance with the requirements of s.103.10, Wis. Stats., employees who have accrued sick leave under UWS are eligible to substitute up to 30 days of such paid leave in any 12 month period for periods of absence from employment for parental leave as follows:

1. For the birth of the employee's natural child, if the leave begins within 16 weeks of the child's birth; or
2. For the placement of a child with the employee for adoption or as a precondition to adoption under section 48.90, Wis. Stats., but not both, if the leave begins within 16 weeks of the child's placement.

Anticipated use of sick leave for parental leave shall be scheduled in accordance with institutional, departmental or unit policies and procedures for requesting leaves of absence. Parental leave may be taken in non-continuous increments. The duration of the shortest increment available is one-half day.

Faculty and teaching academic staff members are also eligible to use colleague coverage in lieu of sick leave for teaching responsibilities in the semester in which the birth occurs.

A member of the faculty with teaching responsibility, alternatively, may opt to receive a combination of paid and unpaid leave as provided in "Use of Sick Leave for Medical Absence That Can Be Anticipated." In such cases it shall be understood that the timing of pregnancy cannot be "arranged" under the meaning of this policy.

A staff member who anticipates taking parental leave should so inform the chair of the department or supervisor as early as possible.

** Leave without pay may be used if sick leave has been exhausted. Please see your divisional personnel representative for details and restrictions.

S-48a

Sick Leave Policy

Page 4

The following definitions are used in implementing these policies:

“Child” means a natural, adopted or foster child, stepchild, or legal ward who is less than 18 years of age or 18 years of age or older and unable to care for himself or herself because of a serious health condition.

“Family member” includes an employee’s and employee’s spouse’s immediate family members, grandparents, grandchildren, aunts and uncles, brothers and sisters and their spouses, children over the age of 18 and their spouses and any other relative who resides in the same household as the employee.

“Grandchild” means the child of a child. “Grandparent”

means the parent of a parent.

“Immediate family member” means the spouse, parents and children of an employee.

“Parent” means a natural parent, foster parent, adoptive parent, stepparent or legal guardian of an employee or an employee’s spouse.

“Spouse” means an employee’s legal husband or wife or equivalent.

“Year” refers to the academic year for academic year basis appointments, and to the fiscal year for annua basis appointments. One semester of an academic year appointment is equivalent to one-half of an annual basis appointment.

LEAVE WITHOUT PAY FOR PARENTAL LEAVE REASONS

Leave without pay is available for the following:

Birth of a child. Irrespective of medical conditions, the employee may take additional consecutive days or leave without pay until the end of the semester (or six month equivalent) in which the delivery occurs (July 1 - December 31 and January 1 - June 30 are the six month equivalents);

In the semester after the one in which delivery occurs, the employee will be granted leave without pay upon request. In the case of a non-tenured faculty member such leave will not be counted in the calculation of probationary time.

SICK LEAVE DURING SUMMER SESSION

Staff members whose basic appointments are for nine months or more and who teach in the summer session may qualify for sick leave in the summer session, provided inception of the illness occurs on the first or subsequent day of the summer session. Visiting faculty, if not covered by sick leave provisions at their home institutions are covered during the summer session provided their appointments at the University extend for at least nine months in addition to the summer session term. Exceptions to this policy regarding sick leave during the summer session may be made, on behalf of members of the permanent faculty only, at the discretion of the Chancellor.

RECORDS

Each department or equivalent unit shall maintain records of sick leave entitlement for its faculty, limited appointees, and academic staff members.

EXCEPTIONS

Nothing in this policy shall terminate benefits or commitments previously made to persons absent for medical reasons on the effective date of this policy.

This policy satisfies the requirements of the Wisconsin Family and Medical Leave Act.

For addition details on Sick Leave Policy see UWS Unclassified
Personnel Guideline #10 and
Wisconsin Family and Medical Leave Act