

2.14.2 Faculty and Staff Sick/Temporary Disability Leave

Employees shall be granted sick leave as approved based on their position title, duration category, time worked category, the personnel system under which they are governed, KCTCS policies and procedures, and laws. Employees shall confirm eligibility for sick leave with their supervisor and follow all policies and procedures for requesting and/or reporting sick leave.

Available sick leave may be taken in increments of no less than 0.25 hours when approved. Requests for sick leave shall be in advance if at all possible. Employees shall request from their supervisor the approval of sick leave, using the official KCTCS absence record/request form and medical documentation as required. In addition, a letter of request may be submitted along with the absence record/request form. All paid or unpaid sick leave requires the approval of employees' supervisor in order to be considered excused leave time. Employees shall use the official KCTCS absence record/request form to accurately reflect the amount of sick leave taken during any given pay period, along with the time sheet (if applicable).

In the event that an absence may possibly be a qualifying event for Family Medical Leave (FML), when requesting approval for sick leave employees and supervisors shall ensure that the Family Medical Leave (FML) request form is completed and submitted for a determination to be made regarding whether or not the absence shall be approved as a FML qualifying event. FML shall run concurrent with other paid and unpaid leave time, including paid sick leave and leaves due to injuries/illness that are covered by Workers' Compensation, in accordance with the KCTCS family medical leave policy and related human resources procedures.

Regular faculty and staff shall be approved for up to thirty (30) working days of paid or unpaid sick leave (which could include banked leave) or unpaid special leave by the college president/ceo for purposes of new child care following the birth of their child or the adoption of a child under the age of seven. Employees may request additional paid or unpaid leave beyond the 30 working days in accordance with KCTCS policies and procedures regarding sick leave, vacation leave, special leave, or other leave programs subject to the approval of the college president/ceo. Medical complications arising in conjunction with the new child care of the adopted child, when supported by appropriate medical statements, are grounds for authorizing additional leave.

For employees who are eligible and/or approved for pay for lost time from work under Workers' Compensation, the pay received for lost time from work from the Workers' Compensation carrier may be supplemented by the use of available temporary disability/sick leave pay at the employee's request, with the combined amount not to exceed the amount of the employee's regular salary immediately prior to going on leave due to the injury covered by Workers' Compensation.

An employee on vacation leave who becomes ill or injured while on vacation may substitute TDL for vacation leave for the pertinent period of temporary disability (if

available and applicable) upon request by the employee and with the written certification of a physician. The employee shall submit this certification as soon as possible upon return from leave. If approved, the employee shall make the necessary corrections on their time sheet and/or absence record/request form and obtain the appropriate approval signature in order to complete the substitution of leave time.

Supervisors may require a physician's certification or other health care professional's certification for absences. In addition, supervisors may establish sick leave rules for their employees to adhere to that are consistent with this policy.

Supervisors shall review excess absenteeism with the employee and with the local human resources personnel. An employee who is absent from work on a regular basis, has an excessive use of unpaid leave, has excessive unplanned and/or unapproved absences, or has attendance patterns which interfere with his/her job shall not be entitled to the provisions of this policy unless the absences are qualifying events and the employee is eligible for the Family Medical Leave. In addition, abuse of TDL or the use of leave without pay may be cause for more restrictive reporting and certification requirements for use of TDL for an individual employee. Unapproved sick leave shall be unpaid. Excessive or unplanned absenteeism and tardiness are disruptive, and either violation may lead to disciplinary action, including termination of employment.

An employee who is not able to work regularly due to non-FML related absences may be separated from employment.

In addition, provisions regarding paid and unpaid sick leave shall be adhered to in accordance with other KCTCS policies and human resources procedures related to Family Medical Leave and leaves of absence.

A. Temporary Disability (Sick) Leave for Faculty Members

KCTCS Personnel System

Regular full-time faculty, and regular part-time faculty members who work 50 percent or more of a full-time schedule on an annualized basis, are entitled to the temporary disability (sick) leave provisions in this policy. Regular faculty may be absent up to five continuous working days with pay for a period of absence because of their own personal illness or injury. KCTCS requires appropriate notification so that class schedules and other professional duties can be covered. The supervisor may require faculty members to furnish medical documentation.

Faculty who are sick or injured and unable to work, resulting in the need for a period of absence longer than the initial five continuous working days, may submit a request for up to 30 calendar days of sick leave with pay. Such leave requests shall be reviewed and an approval determination made by the college president/ceo. If the need for TDL continues beyond that time, faculty shall request approval of a renewal of additional TDL every 30 calendar days for a maximum of six months. Faculty members shall be required to submit

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medical documentation to the supervisor for each request of sick leave, including renewals and/or the ability to safely return to work for a sick leave.

Faculty who opted over from the 18A/151B personnel system shall retain their balance of banked sick leave earned under that personnel system. The banked balance shall not increase but may be used in accordance with this policy.

At the discretion of the college president/ceo, faculty members may be required to use their banked sick leave balance (banked as a result of opting over to the KCTCS personnel system from the 18A/151B personnel system) prior to being approved for the use of paid faculty sick leave.

Regarding requests for medical leave beyond six months or unapproved requests for sick leave, see KCTCS policies and procedures regarding vacation leaves, unpaid medical leaves of absence, special/other leaves, long-term disability insurance and/or the disability retirement provisions provided under the Kentucky Retirement System.

Faculty sick leave with pay may also be used for the purpose of tending to a serious illness suffered by a member of your immediate family, in the event the illness requires your personal time and attention, for up to five faculty sick days with pay within a six month period. Possible exceptions to the five day limit may be made by the college president/ceo, due to an employee's extenuating circumstances, to allow up to a maximum of 30 working days of sick leave with pay. For purposes of this policy, immediate family includes spouse, child, parent, sibling, or person for whom you serve as legal guardian.

KCTCS may, at its sole and absolute discretion, require a doctor's certificate verifying the necessity for any absence(s) due to sickness of a family member.

Faculty may not use paid sick leave until after three months of employment.

Temporary/adjunct faculty and regular part-time faculty working less than half-time are not eligible for paid temporary disability (sick) leave.

UK Personnel System

Paid sick leave may be granted to faculty members by the college president/ceo. Faculty who are totally disabled, are entitled to up to six months leave with pay. Faculty who remain disabled after six months of sick leave may qualify for long term disability benefits under the UK plan with premiums paid by KCTCS. Sick leave with pay for more than six months requires approval by a KCTCS Vice President or the KCTCS Chancellor.

Requests by regular faculty for purposes of the care of a new child (through birth or adoption) shall be approved by the college president/ceo for up to thirty (30) working days of temporary disability/sick leave (which could include banked leave). Faculty may request additional paid sick leave, vacation leave, or a special leave without pay for new

child care for a period beyond the 30 working days, subject to the approval of the college president/ceo. Medical complications arising in conjunction with the care of the adopted child, when supported by appropriate medical statements, are grounds for authorizing additional leave.

For further information please see the UK benefits policies and regulations on the KCTCS website.

18A/151B Personnel System

If approved, paid or unpaid sick leave shall be granted subject to the terms specified in the Administrative Regulations for KRS Chapter 151B effective on June 30, 1998, located in Appendix I Section 2.

B. Temporary Disability (Sick) Leave for Staff Employees

KCTCS Personnel System

Regular full-time staff employees and part-time staff employees who work 50 percent or more of a full-time scheduled on an annualized basis who are absent from work because of a personal illness or injury shall be granted paid temporary disability leave (TDL) if they have an available leave balance and if the requested leave is approved.

Regular full-time employees accrue paid temporary disability (sick) leave at the rate of one day (7.5 hours) per month.

Regular part-time employees who work 50 percent or more of a full-time schedule on an annualized basis accrue paid TDL in an amount for the hours and/or days worked, directly proportionate to the amount received by full-time staff employees. The principle governing pro rata percentages under this policy is to provide, within reasonable limits, an equitable allocation of paid TDL for an eligible employee who is not full-time but who works half-time or more.

Paid TDL allowance is earned for a month when employment commences on or before the fifteenth day of the month.

For eligible continuing employees the TDL accrued per month is available for use on the sixteenth day of that month (including the months during the new employee introductory period) for the months in which the employee is in a paid status for a minimum of half of the month.

Employees in an unpaid leave of absence for more than half of the month do not accrue TDL during that month.

In addition, no paid TDL is accrued in the final month of employment when termination occurs on or before the 15th day of the month.

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In addition to their TDL leave earned under the KCTCS personnel system, staff who opted over from the UK personnel system or the 18A/151B personnel system shall retain their balance of banked TDL/sick leave earned under that personnel system. The banked balance shall not increase but may be used in accordance with this policy.

Employees shall use TDL, vacation leave, or compensatory leave (if applicable) during a period of temporary disability.

In addition to utilizing sick leave in the event of employees' own illness, sick leave may also be used for the purpose of visiting doctors, dentists or other recognized practitioners. Sick leave may also be used for the purpose of tending to a serious illness suffered by a member of the employees' immediate family, in the event the illness requires the employees' personal time and attention. For purposes of this policy, immediate family includes spouse, child, parent, sibling, or person for whom the employee serves as legal guardian.

KCTCS may, in its sole and absolute discretion, require a doctor's certificate verifying the necessity for absence(s). Accrued paid TDL or vacation leave shall be used during a period of temporary disability.

Employees shall exhaust all available paid leave time prior to going into a leave without pay status. Employees shall be in a leave without pay status only if accrued paid TDL, vacation leave, and compensatory leave (if applicable) are unavailable or are unapproved, or when employees have exhausted all accrued paid TDL, vacation leave, and compensatory leave (if applicable).

Provisions regarding unpaid leaves are specified in KCTCS policies and human resources procedures regarding unpaid medical leaves of absences.

Please note the relationship between this policy and the KCTCS Family and Medical Leave policy.

Upon termination of employment, there is no payout of terminal sick pay of the current balance of temporary disability leave days to the terminating employee.

UK Personnel System

Regular full-time staff employees and part-time staff employees who work 50 percent or more of a full-time schedule on an annualized basis who are absent from work because of a personal illness or injury shall be granted paid TDL if they have an available leave balance and if the requested leave is approved.

Regular full-time staff employees accrue paid TDL at the rate of one day (7.5 hours) per month.

Regular part-time staff employees who work 50 percent or more of a full-time schedule on an annualized basis accrue paid TDL in an amount for the hours and/or days worked, directly proportionate to the amount received by full-time staff employees. The principle

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governing pro rata percentages under this policy is to provide, within reasonable limits, an equitable allocation of paid TDL for an eligible employee who is not full-time but who works half-time or more.

TDL accrual is earned for a month when employment commences on or before the fifteenth day of the month.

For eligible continuing employees the TDL accrued per month is available for use on the sixteenth day of that month (including the months during the new employee introductory period) for the months in which the employee is in a paid status for a minimum of half of the month.

Employees in an unpaid leave of absence for more than half of the month do not accrue TDL during that month.

Employees shall use TDL or vacation leave during a period of temporary disability.

Unless otherwise approved for additional leave time, a cumulative maximum of 30 working days of TDL in one year may be used for time off due to the illness or injury of a family member, defined as: spouse; child; grandchild; mother/father; grandmother/grandfather; brother/sister (including steps, halves, and in-laws of the above relatives); legal dependent of the employee; and another who resides in the employee's household and for whom the employee has an obligation to provide care. A presumption of six weeks (30 working days) leave during recovery period shall be made in the case of childbirth. Up to a maximum of 30 working days of TDL may be used by employees for the adoption of a child and by male employees for the birth of his child.

Employees shall exhaust all available paid leave time prior to going into a leave without pay status. Employees shall be in a leave without pay status only if accrued paid TDL, vacation leave, and compensatory leave (if applicable) are unavailable or are unapproved, or when employees have exhausted all accrued paid TDL, vacation leave, and compensatory leave (if applicable).

Use of paid TDL for over six months shall be approved by the college president/ceo, or by the appropriate Cabinet member for system office employees.

Upon termination of employment, there is no payout of the current balance of TDL days to terminating employees.

KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

18A/151B Personnel System

If approved, paid or unpaid sick leave shall be granted subject to the terms specified in the Administrative Regulations for KRS Chapters 18A and 151B effective on June 30 1998, located in Appendix I Section 2.

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<u>Recommended by</u>	<u>Date</u>	<u>President, KCTCS</u>	<u>Date</u>