

Oregon Tech Policy
OIT-20-061
Unclassified Administrative Staff Sick Leave

1. Policy Statement

The university is committed to providing unclassified administrative staff with time off to care for themselves, or eligible family member(s) experiencing mental or physical illness, injury or medical condition, or other absences covered by the Family Medical Leave Act (FMLA) and/or the Oregon Family Leave Act (OFLA) as well as time off for preventative medical care.

2. Reason for Policy/Purpose

To establish the necessary basis for sick leave. This policy replaces former OAR 580-021-0040 for unclassified administrative staff only.

3. Applicability/Scope

This policy applies to all unclassified administrative staff employed at 0.50 FTE or greater.

4. Definitions

Unclassified Staff: The university's unclassified administrative staff are defined by ORS 580-020-0006.

5. Policy

5.1 Policy Details

5.1.1 Eligibility: Unclassified administrative staff on an ongoing appointment of 0.50 FTE or greater are eligible to accrue sick time. Eligibility begins on the first of the month following the unclassified administrative staff member's start date.

5.1.2 Accrual: Eligible unclassified administrative staff accrue sick time monthly. Sick time accrues on the last day of the month and is available for use on the first day of the following month. Eligible unclassified administrative staff appointed at 1.0 FTE accrue 8 hours of sick time per month; eligible unclassified administrative staff appointed at 0.50 FTE or more accrue sick time in proportion to their FTE. The accrual of sick leave is reduced on a pro-rata basis for any period of leave without pay, sabbatical leave, educational leave, and donated or borrowed leave. Sick leave is accrued during other periods of paid leave. Sick leave does not accrue during hourly or additional work contracts, or periods not covered by the annual contract.

- 5.1.3 **Maximum:** Eligible unclassified administrative staff can accrue unlimited sick hours.
- 5.1.4 **Approval:** Sick time is to be scheduled in advance when foreseeable. The employee shall make a reasonable attempt to schedule the use of sick time in a manner that does not unduly disrupt the operational needs of the university.
- 5.1.5 **Notice:** If the need to use sick time is unforeseeable, the employee is required to provide notice to their supervisor, using established department process and/or procedure, as soon as practicable, and no later than the start of shift.
- 5.1.6 **Usage – Family Members:** Unclassified administrative staff may use sick time for the following family members, or any other family member as defined by BOLI, OFLA, or FMLA:
- the spouse or domestic partner of an employee;
 - the biological, adoptive, foster child; or child-in-law or domestic partner of a child of the employee or the employee’s spouse or domestic partner;
 - the biological, adoptive, or foster parent of the employee or the employee’s spouse or domestic partner;
 - the grandparent or grandchild of the employee or the employee’s spouse or domestic partner;
 - the sibling of the employee or the employee’s spouse or domestic partner;
 - a person with whom the employee was or is in a relationship of in loco parentis; or
 - a member of the employee’s immediate household with whom the employee or the employee’s spouse or domestic partner shares a close association equivalent to a family relationship.
- 5.1.7 **Usage – Reason for Leave:** Unclassified administrative staff may use sick time for the following purposes, and for any other purpose associated with approved FMLA or OFLA not defined below:
- For an employee’s or family member’s mental or physical illness, injury or health condition or need for medical diagnosis of these conditions or need for preventive medical care;
 - To care for an infant or newly adopted child under 18, or for a newly placed foster child under 18, or for a child over 18 if the child is incapable of self-care because of mental or physical disability;
 - To care for a family member with a serious health condition;
 - To recover from or seek treatment for a serious health condition that renders the employee unable to perform at least one of the essential functions of the employee’s job;
 - To care for a child of the employee who is suffering from a non-serious illness, injury or condition;
 - To deal with the death of a family member by attending the funeral or alternative, making arrangements necessitated by the death of a family member, or grieving the death of a family member;

- To seek medical treatment, legal or law enforcement assistance, remedies to ensure health and safety, or to obtain other services related to domestic violence, sexual assault, harassment or stalking incidents to the employee or employee's minor child or dependent; or
- For certain public health emergencies including closure by a public official of the employee's place of business, school, or place of care of the employee's child, or a determination by a public health authority or health care provider that the presence of the employee or a family member presents a health risk to others.

5.1.8 Usage – Increments of Time: Unclassified administrative staff shall report sick leave used in quarter-hour increments.

5.1.9 Transfer: Eligible unclassified administrative staff may not transfer sick time to another employee. Newly hired unclassified administrative staff transferring directly from another Oregon public university may transfer sick time to their position. A separating unclassified administrative staff member may transfer sick leave directly to a new Oregon public employer based on the rules and policies of the new employer; a decision to do so must be communicated to Oregon Tech's payroll department prior to final pay being issued.

5.1.10 Conditions: Unused sick leave is not compensable and shall not be paid upon separation from employment. When on approved leave under OFLA, FMLA, or ADA, employees must exhaust all monthly accrued sick leave before going into leave without pay status, except that an employee may request in writing to hold up to forty (40) hours of vacation leave. An exception will be made for employees receiving payment through PEBB offered short- and long-term disability, Paid Leave Oregon, or payment through workers' compensation. An employee is not entitled to keep both salary, including paid leave, and workers' compensation benefits if the total exceeds the employee's regular salary. An employee who receives a regular salary payment and a workers' compensation lost time benefit payment shall immediately notify the payroll department or other designated officer of such overpayment and shall return promptly to the institution the amount of the salary overpayment. The university shall recover the amount of salary overpayment through payroll deduction or by cash payment according to existing university procedures. If abuse of sick leave is suspected, the university reserves the right to require reasonable documentation from a provider to support sick leave usage. The university may require an employee to submit a provider release to return to the workplace to verify return to work will not be detrimental to self or others.

5.1.11 Exclusions: Sick leave is not intended to be used for any reasons other than those defined in section 5.1.7 above. Sick leave shall not to be used to extend vacation leave.

5.1.12 Advances: The purpose of this section is to provide salary continuance for up to 90 calendar days of absence due to illness of the employee through a combination of accrued and advance sick leave. Each full-time unclassified administrative staff member appointed at 0.50 FTE or greater, 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 if 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. Unclassified administrative 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.

5.1.13 Recordkeeping: Each eligible unclassified administrative staff member is responsible for accurately reporting the use of sick leave through time reporting monthly. The payroll department will keep an accurate record of sick accrual and use.

6. Links To Related Procedures, Forms, or Information

None

7. Policy Review/Consultation

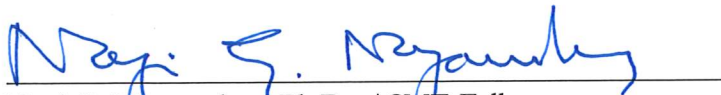
This policy was reviewed and open to consultation by the following Oregon Tech committees and/or advisory groups:

- Administrative Council
- President's Leadership Council

This policy was adopted pursuant to Oregon Tech's policy review and making process.

8. Policy Approval

Approved by the president on October 25, 2023.



Nagi G. Naganathan, Ph.D., ASME Fellow
President

Adoption Date

10/25/2023

Supersedes, Renames, and Renumbers

Former OAR 580-021-0040

Revision Dates

N/A