

PERSONNEL POLICY AND PROCEDURE GUIDELINE

Hastings College of the Law

SUBJECT: SICK LEAVE (305)
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POLICY

305.1 RESPONSIBILITY

The Director of Personnel is responsible for establishing appropriate procedures to implement this policy.

305.2 PROVISIONS

Sick Leave is provided to continue the salary of eligible employees who are unable to work because of illness, disability, medical appointments, and on a limited basis, in the event of illness or bereavement as defined in 305.4C and 305.4E.

305.3 SICK LEAVE ACCRUAL

- A. Sick leave accrues at the rate of eight hours per qualifying month of service for full-time employment and on a proportionate basis for part-time employment.
- B. Overtime hours worked shall not be included as qualifying service when computing the amount of sick leave accrued.
- C. There is no limit on the amount of sick leave which can be accrued.
- D. An employee must be on pay status at least one-half (½) of the working days of the month to accrue sick leave for that month.
- E. Sick leave earned shall be credited on the first day of the following month.

305.4 USE OF SICK LEAVE

- A. An employee shall not use sick leave:
 - 1. Prior to the time it is accrued;
 - 2. Beyond a predetermined date of separation, retirement or indefinite layoff; and

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3. During a temporary layoff, furlough, or leave without pay, except that an employee may use accrued sick leave during pregnancy disability leave or family and medical leave (see Personnel Policy and Procedure Guideline No. 306, **Leaves of Absence**.
- B. An employee may be required to submit satisfactory proof of inability to work, illness in the family, or bereavement. Absences in excess of five (5) scheduled work days for self-sick, illness in the family, or bereavement shall require written satisfactory proof of reason(s) for absence.
- C. An employee shall be permitted to use up to thirty (30) days of accrued sick leave in any calendar year when required to be in attendance or to provide care, because of the illness of the employee's spouse, parent, child, sibling, grandparent, or grandchild. In-law and step-relatives in the relationships listed are also covered. This provision also covers other persons residing in the employee's household. The Dean may authorize exceptions beyond the thirty-day limit, including the exhaustion of all sick leave in the event of catastrophic illness in the employee's family or household.
- D. An employee who becomes ill while on vacation shall be permitted to use accrued sick leave if that employee is under the care of a healthcare provider and submits to the College upon return to work a written medical certification from the healthcare provider.
- E. An employee shall be permitted to use up to five (5) days of accrued sick leave when that employee's absence is required due to the death of the employee's spouse, parent, child, sibling, grandparent, or grandchild. In-laws and step relatives in the relationships listed are also covered. This provision also covers other persons residing in the employee's household.

305.5 TRANSFER AND REINSTATEMENT OF SICK LEAVE

- A. An employee who is transferred, promoted, or demoted from one College position to another College position in which sick leave accrues shall have the sick leave transferred.

An employee who is transferred, promoted or demoted to a position in which sick leave does not accrue shall not have prior sick leave transferred. However, if the employee later transfers to a position in which sick leave accrues, the previously accrued sick leave shall be reinstated.

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- B. An employee who is reemployed after a break in service of less than fifteen (15) calendar days shall have all sick leave from prior service reinstated.
- C. An employee who is reemployed after a break of service of fifteen (15) calendar days or more but less than six (6) months shall have accrued sick leave from prior service not in excess of eighty (80) hours reinstated.
- D. If separation or break in service is for six (6) months (one hundred eighty (180) days) or more, accrued sick leave shall not be reinstated. For purposes of this section only, University of California and State of California service shall be treated the same as College Service.
- E. An employee who is reemployed during the period of recall and referential rehire status shall have all accrued sick leave from prior service reinstated.

305.6 LEAVE RECORDS

- A. Exempt Employees: Records of sick leave used shall be recorded in one-day increments only. When an exempt employee has exhausted all accrued sick leave, salary shall not be reduced for absences of less than one (1) full day.
- B. Non-Exempt Employees: Records of accrued sick leave usage shall be maintained to the nearest one-quarter ($\frac{1}{4}$) hour.