

VANDERBILT UNIVERSITY AND MEDICAL CENTER

HUMAN RESOURCES POLICIES AND PROCEDURES

SUBJECT: Paid Sick Time Policy

Policy # HR-029

EFFECTIVE DATE: January 1, 2001,

(Revision Date June 1, 2004)

Revised July 1, 2006 Revised January 1, 2007

POLICY

The purpose of this policy is to provide paid sick time for staff in accordance with our benefit offerings and as set forth below. The sick time benefit is designed to protect staff from loss of income when illness or a medical condition prevents the staff member from working.

PROCEDURE

Sick time is available in the following circumstances:

- staff are unable to work because of illness or injury,
- staff have a scheduled medical or dental procedure or checkup, or
- under certain circumstances, to care for a family member (see "Using Sick Time for Family Members").

Regular and term staff accrue one "day" of sick time during each month of paid status. Sick time is accrued based on the number of hours each staff member is paid (up to 80) in a two-week pay period. In general, a "day" of sick time is defined as 1/5 of the regular weekly work schedule, whether the staff member is full-time or part-time.¹

ELIGIBILITY FOR USE OF SICK TIME

Regular and term staff begin to accrue sick time immediately upon employment. Staff are eligible to use sick time as soon as it is accrued (see exceptions #1 and #2). As a rule, accrued sick time must be used for illness before going into an unpaid status. Paid sick time is not available for use after the maximum six month approved leave status has been utilized.

Exceptions:

1. Sick time will not be paid while a staff member is being paid Short Term Disability (STD) thus the accrued sick time will remain in staff member's accrued sick time

¹ In the record keeping system, exempt staff accruals and usage occur in hours; for example, 15 days equals 120 hours for a standard 5day/40hour workweek. Accrual rates are prorated based on a percentage of fulltime for exempt staff

during this period.²

2. A staff member receiving benefits for workers' compensation will not be paid from both workers' compensation and accrued sick time for the same hours.
3. The exception to the use of sick time and the maximum leave time available under the Medical and Personal Leave of Absence Policy, HR Policy #012 is when a staff member has applied for Long Term Disability (LTD,) but the approval takes longer than six months. The staff member who has accrued time available may continue to remain in a paid status until one of two things occurs: 1) approval/denial is given for the LTD benefit or 2) sick time accrual is exhausted. Please contact the Benefits Office to ensure proper processing.

Departments are responsible for establishing a call-in process, communicating the procedure to all staff and monitoring sick time usage and accumulations.

1. Staff

a. **Hourly Paid Staff:** Staff would indicate hours not worked on their time record or designate the missed time to the appropriate **accrued sick time**. If no accruals are available, staff will take leave without pay.

b. **Exempt Staff:** The normal workday is defined by the department. **Staff are required to work a schedule consistent with the full time equivalent (FTE) for their position.** Time away from the normal workday is to be reported in half-day increments and tracked to the appropriate **accrued sick time**. For example, when an exempt staff member misses half of the regularly scheduled workday, but less than the full regularly scheduled workday, one-half day of usage will be reported as sick time. Time missed that equals less than one-half of the regularly scheduled workday is not reported.

Note: Approval to change the normal workday schedule must meet the needs of the institution and be approved in advance by the staff member's supervisor.³ Managers are charged to use their best judgment in monitoring sick leave reporting for exempt staff.

² Please refer to the "Medical and Personal Leave of Absence" policy, #HR012. The policy can be reviewed on the HR web page at the following address: <http://hr.vanderbilt.edu/policies/hr012.pdf>

³ Please refer to the "Alternative Work Arrangement" policy, #HR023. The policy can be reviewed on the HR web page at the following address: <http://hr.vanderbilt.edu/policies/hr-023.pdf>

2. Family Members: Vanderbilt recognizes that sometimes a family member's illness or injury requires the staff member's time and care. For that reason, Vanderbilt allows staff to use sick time for the care of an eligible family member. If the time off is for the care of a family member with a serious health condition, such absence may be covered under provisions of the Family and Medical Leave Act (FMLA).

For the purpose of this policy, eligible family members are defined as: spouse, domestic partner, parent, grandparent, sibling, biological child, stepchild, adopted child, foster child and child(ren) of the staff member. Sick time may be used for those family members in the following circumstances:

- a. the care of an eligible family member who is ill or injured
 - b. accompanying an eligible family member to a scheduled medical or dental procedure or checkup
 - c. attending to an eligible family member who is hospitalized
- Staff may not use sick time for absences related to the care of family members not listed above; however, staff may request time off as vacation or personal leave.

3. Medical and Dental Appointments: Staff need to schedule doctors' appointments and provide appropriate advance notice to their supervisor. Sick time must be used for scheduled medical and dental appointments.

4. Pregnancy and Childbirth: As provided in Vanderbilt's medical leave policy, a birth mother can use sick time for any period of her pregnancy or post-pregnancy recovery that is considered by her health care provider to be a period of medical disability. The father can use sick time when he is needed to care for his wife who is medically disabled due to pregnancy or post-pregnancy recovery.

For specific information regarding **Family Medical Leave of Absence (FMLA)** or **Tennessee Medical Leave of Absence (TMLA)** for pregnancy, childbirth or adoption, please refer to the "Medical and Personal Leave of Absence Policy."

PROCESS

A. Requesting Sick Time: Staff should give as much notice as possible when requesting time off as sick time. Whenever possible, staff should schedule sick time off in advance, according to the department's procedures.

B. Calling in Sick: For unexpected medical absences (e.g. the flu), staff

should follow the departmental call in procedure. Failure to call in according to departmental procedures may result in performance improvement counseling (PIC) or discharge.

C. Using Sick Time: Sick time must be used to replace regularly scheduled work hours when staff miss work time due to illness or a medical appointment. The use of sick time is only allowed to fulfill a staff member's FTE and may not be used for hours beyond the normal work schedule (i.e. scheduled overtime).

If a staff member is utilizing sick time for more than 5 consecutive days, it may be appropriate to initiate a medical leave of absence.⁴

All sick time, vacation and personal leave accruals must be used before time is taken without pay.

D. Medical Absences When No Sick Time is Available: For staff who are unable to work due to a medical condition and have no sick time available, and are not drawing the benefit of Vanderbilt sponsored short term disability insurance, other accruals must be used in the following order: vacation, personal and holiday time. In no case may the staff sick usage reflect a negative balance.

E. Supplementing Reduced Work Schedules With Sick Time: If the staff member's health care provider requires him/her to reduce the regular work schedule temporarily due to medical reasons (i.e., during late stage pregnancy), he/she will need to provide medical certification.⁵ If so, staff must supplement any missed work time with sick time as appropriate.

F. Payout of Sick Time: Unused sick time is not paid as a terminating benefit when staff leave the employment of Vanderbilt. The one exception is in the case of retirement. If staff retire from Vanderbilt after reaching the age of 62, they will be paid for up to 30 days of unused sick time. A "day" is considered to be 1/5 of the current regular weekly work schedule. A staff member is only eligible for a one time pay out.

⁴ As referenced in the "Medical and Personal Leave of Absence" policy, time off under the FMLA may be taken as a continuous leave period, or for medical reasons, the leave may be taken on an intermittent basis or as a reduced work schedule, as long as the need to do so is appropriately documented. When FMLA leave is taken on an intermittent basis or reduced work schedule, both hourly paid and exempt staff may track usage by the hour. Each type of usage is counted towards the 12week maximum available leave and is triggered at the beginning of the FMLA leave time.

⁵ For missed work or reduced work schedules due to injuries which are compensable under the Tennessee Workers' Compensation Act, the supervisor must coordinate with Employee Relations to determine how to process the leave. Supplementation of workers' compensation weekly benefits with leave accrued sick time (vacation, personal or holiday) is allowed; however, it is not required if the staff member is receiving weekly workers' compensation benefits

Note: If a staff member is rehired under the terms of the Bridging Policy, the unused sick time at the time of termination from the prior position is NOT a benefit available upon reinstatement.

An exception to both the Paid Sick Time Policy and the Bridging Policy is when a staff member moves into a faculty position and within a five (5) year period returns to staff status. In this case **accrued sick time** is not available while employment is continued in a faculty status position, but will be carried forward in its entirety for a future staff position. If there is not a transfer from a faculty position to another staff position within the (5) year period the **accrued sick time** is lost and will not be paid out in whole or in part under any circumstance.

A companion policy is #HR012, "Medical and Personal Leave of Absence." For information about either policy, interpretation of FMLA qualifying leave, medical leave, and other issues, please call your departmental Employee Relations Representative.

Approved by Kevin Myatt, Chief Human Resource Officer
Approved by Lauren Brisky, Vice Chancellor, Administration
Approved by Harry Jacobson, M.D. Vice Chancellor, Health Affairs

This policy is intended as a guideline to assist in the consistent application of University policies and programs for staff. The policy does not create a contract implied or expressed, with any Vanderbilt staff members, who are employees at will. Vanderbilt reserves the right to modify this policy in whole or in part, at anytime, at the discretion of the University.