

## ARTICLE 14

### SICK LEAVE

- 14.1 Following completion of one (1) month of continuous service, a full-time employee shall accrue eight (8) hours of credit for sick leave with pay. Thereafter, for each additional month of service, eight (8) hours of credit for sick leave with pay shall be accrued.
- 14.2 Each full-time employee shall be considered to work not more than forty (40) hours each week. Employees who are appointed less than full-time shall accrue credit for sick leave with pay on a pro rata basis.
- 14.3 Sick leave may be accumulated without limits, and no additional sick leave with pay beyond that accumulated shall be granted.
- 14.4 An employee shall be responsible for reporting an absence to the appropriate administrator as soon as possible.
- 14.5 An employee shall be responsible for completing and submitting the campus' absence form to the appropriate administrator on the date designated.
- 14.6 An employee may be required to provide a physician's statement or other appropriate verification for absences. An employee shall not normally be required to provide such a statement or verification for an absence of five (5) consecutive days or less charged to sick leave.

#### Absences Chargeable to Sick Leave

- 14.7 The use of sick leave may be authorized by the appropriate administrator only when an employee is absent because of:
- a. Illness, injury, or disability related to pregnancy;
  - b. Exposure to contagious disease;
  - c. Dental, eye, or other physical or medical examinations or treatments by a licensed practitioner;
  - d. Illness or injury in the immediate family; and sick leave for family care is primarily for emergency situations. Up to ten (10) days of accrued sick leave credit may be used for family care during any one (1) calendar year.  

The Appropriate Administrator may authorize an additional five (5) days of accrued sick leave credit for family care during one (1) calendar year.
  - e. Death of a person in the immediate family. The President may authorize up to forty (40) hours of accrued sick leave for bereavement. When one (1) or more deaths occur in a calendar year, up to forty (40) hours of accrued sick leave

credits may be authorized for each death.

14.8 “Immediate family” as used in this Article shall mean:

- The employee’s registered spouse or domestic partner;
- The employee, spouse or registered domestic partner’s: parent, step-parent, grandparent, great- grandparent, sibling, child or grandchild (including foster, adopted and step), parent’s siblings;
- The employee’s child-in-law;
- A person living in the immediate household of the employee, except domestic employees, roomers, boarders, and/or roommates.

14.9 Under no circumstances may an employee be granted sick leave for days during layoff periods or during a leave of absence without pay and during periods when the campus or department is closed.

14.10 The President may authorize unpaid sick leave or the use of vacation for an employee who has exhausted their accumulated sick leave.

#### Directed Sick Leave/Medical Examination

14.11 The President may direct an employee to take sick leave if the President determines that the employee has restricted ability to carry out their duties due to illness or injury. In the event that the directed sick leave shall result in an employee going into unpaid status, and upon the request of the employee, a meeting shall be scheduled with the employee and a UAPD representative and the appropriate administrators for the purpose of exploring reasonable options under the ADA that could mitigate or avoid going into unpaid status.

14.12 An employee may be required to undergo a medical examination as directed by the President to ascertain the employee's ability to perform their required duties. If such an examination is by the physician selected by the employer, the CSU shall bear the costs of such medical examination. In cases where an employee has a written full medical release without restriction to return to work and the appropriate administrator believes that the employee is unable to perform the duties of the position, the appropriate administrator shall consult with the Human Resources Director.

#### Supplement to Industrial Disability Leave

14.13 Upon written notification by an eligible employee to the CSU, the employee may elect to supplement Industrial Disability Leave (IDL) payments with charges to their accrued sick leave. Such an election shall be made no later than fifteen (15) days after the report of the injury for which the IDL is being paid.

- 14.14 Such supplement shall continue until the employee has exhausted their accrued sick leave or until the employee provides to the CSU written notification that the employee wishes to discontinue the supplement. Such a notice shall be provided fifteen (15) days prior to the effective date of such a discontinuation.
- 14.15 Such a supplement to IDL payments shall not result in the employee receiving a payment in excess of their regular salary or wage.
- 14.16 All payments received by an employee while on IDL shall be subject to mandatory and authorized voluntary deductions.

#### Catastrophic Leave Donation Program

- 14.17 Any CSU employee who accrues vacation or sick leave credits may voluntarily donate either of those credits to any other CSU employee on the same campus, if the recipient employee has exhausted all accrued leave credits, i.e., sick leave, vacation, personal holiday and CTO, due to a catastrophic illness or injury. Catastrophic illness or injury or whose principal place of residence has been impacted by a natural disaster/state of emergency is an illness or injury that has totally incapacitated the employee from work. The following provisions shall apply:

##### (1) Catastrophic Leave Donation Program

- a. An employee, their representative or the employee's family member must request the employee's participation and provide appropriate verification of illness or injury as determined by the campus president. The president shall then determine the employee's eligibility to receive donations based upon the definition provided above.
- b. An incapacitated employee may elect to defer a request to participate during a period of Industrial Disability Leave eligibility.
- c. Employees may donate a maximum of forty (40) hours leave credits per fiscal year in increments of one hour or more. Donations are irrevocable.
- d. Donated leave credits may be used to supplement Industrial Disability Leave, Non-Industrial Disability Leave or Temporary Disability payments from the State Compensation Insurance Fund upon the application for these benefit(s) by an eligible employee. The total amount of vacation credits donated and used may not exceed an amount sufficient to ensure the continuance of the employee's regular monthly rate of compensation.
- e. The total donated leave credits shall normally not exceed an amount necessary to continue the employee for three calendar months calculated from the first day of catastrophic leave. The president may approve an additional three-month period in exceptional cases. The leave should not be deemed donated until actually

transferred by the campus record keeper to the record of the employee receiving leave credits.

- f. For employees whose appointments have not been renewed, donated time may not be used beyond the employee's appointment expiration date in effect at the beginning of the disability.
- g. Only vacation and sick leave credits may be donated.
- h. Donated leave credits may not be used to receive service credit following a service of disability retirement.
- i. Any CSU union may solicit leave donations from bargaining unit employees for direct transfer to employees eligible to receive such leave credits.
- j. Catastrophic illness or injury may also include an incapacitated member of the employee's immediate family if this results in the employee being required to take time off for an extended period of time in order to care for the family member and the employee has exhausted both all of their accrued vacation credits and all of their accrued sick leave credits which may be used for family care in accordance with the appropriate collective bargaining Agreement. Only donated vacation credits may be used for such family care catastrophic leave. Immediate family member shall be defined in accordance with the definition contained in the sick leave provisions of the collective bargaining Agreement covering the recipient employee.
- k. The provisions of this program shall be subject to the grievance procedure contained in the collective bargaining Agreement covering the grieving employee.

## (2) Natural Disaster and State of Emergency

- a. Catastrophic leave for a natural disaster shall be leave for an employee who faces financial hardship because the employee has exhausted all of their accrued vacation credits; accrued sick leave credits; personal holiday credits; and C.T.O. credits; and is unable to work due to the effect of a natural disaster on the employee's principal residence.
- b. The employee resides in one of the counties where a state of emergency exists as declared by the governor.
- c. An employee or their representative must request the employee's participation and provide appropriate verification as determined by the campus President. The President shall then determine the employee's eligibility to receive donations based upon the definitions provided above.
- d. Employees may donate a maximum of forty (40) hours of leave credits per fiscal year in increments of one hour or more. Donations are irrevocable.

- e. The total amount of leave credits donated and used may not exceed an amount sufficient to ensure the continuance of the employee's regular monthly rate of compensation.
- f. The total donated leave credits shall normally not exceed an amount necessary to continue the employee for three (3) calendar months calculated from the first day of catastrophic leave. The President may approve an additional three-month period in exceptional cases. The leave should not be deemed donated until actually transferred by the campus record keeper to the record of the employee receiving leave credits.
- g. For employees whose appointments have not been renewed, donated time may not be used beyond the employee's appointment expiration date in effect at the beginning of the natural disaster/state of emergency.
- h. Only vacation and sick leave credits may be donated.
- i. Donated leave credits may not be used to receive service credit following a service or disability retirement.
- j. Any CSU union may solicit leave donations from bargaining unit employees for direct transfer to employees eligible to receive such leave credits.
- k. Pledged leave credits will be formally transferred to the recipient employee only at the end of a pay period, and then in chronological order of the dates actually pledged. This will ensure that any unused leave credits are never actually transferred until they can in fact be used by the recipient employee. In the event that an employee is unable to use all pledged credits in a pay period, the most recently donated leave credits which cannot be utilized will then never formally be transferred, thereby guaranteeing that they are in no way lost by an employee who wants to donate them in order to help a co- worker who needs the credits.