



THE UNIVERSITY of
NEW ORLEANS

ADMINISTERED BY: Office of Vice
President for Business Affairs

Policy No: AP-BA-08.2
TITLE: Shared Sick Leave Program
EFFECTIVE DATE: June 1, 2014*
(*Policy Revised, see below)
CANCELLATION:
REVIEW DATE: Spring 2018

PURPOSE

To establish guidelines for Shared Sick Leave for faculty and unclassified staff.

AUTHORITY

Policy Number: FS-III.XXII.-1, Chapter: Faculty and Staff, University of Louisiana System

DEFINITIONS

- A. **Shared Sick Leave** is leave hours donated by faculty and/or unclassified staff into a shared sick leave pool to be used by fellow faculty and/or unclassified staff who are suffering from their own serious health condition which has caused or is likely to cause the employee to take leave without pay or to terminate employment. Faculty and/or unclassified employees may irrevocably donate sick leave to the shared sick leave pool.
- B. **Serious Health Condition** (Family Medical Leave Act) is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job, that involves:
1. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility;
 2. Any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider; or
 3. Continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are not "serious health conditions" unless inpatient hospital care is required. Restorative dental surgeries after an accident or removal of cancerous growths are serious health conditions provided any of the other conditions are met (1, 2, or 3). Treatment for allergies or stress, or for substance abuse, is a serious health condition, if any of the other conditions are met (1, 2, or 3). Prenatal care is included as a serious health condition. Routine preventive physical examinations are excluded.

GENERAL POLICY

- A. Shared Leave shall be applied for by the employee and may be taken only when recommended by the Review Committee and approved by the President or his/her designee. The supervising health care provider must provide written documentation that supports the need for leave. The Review Committee may choose to require an opinion from another health care provider, especially for extended leaves.
- B. To be eligible to participate in the Shared Sick Leave Program an employee shall:
 - 1. Be a full-time faculty or unclassified staff member who is eligible to earn sick leave;
 - 2. Have completed at least: (a) one academic year of service with the University if employed on an academic year basis, or (b) one fiscal year of service with the institution if employed on a 12 month basis;
 - 3. Have made a contribution of at least one (1) day (8 hours) of sick leave to the shared sick leave pool as a prerequisite to applying to use sick leave from the pool;
 - 4. Have used all his/her sick, annual, and compensatory leave before requesting sick leave from the pool; and
 - 5. Only benefit from the program, not his or her dependents/spouse.
- C. Participants shall retain three (3) sick days (24 hours) at all times for personal use. Employees shall not be permitted to donate to the Program if they have less than three (3) days (24 hours) of sick leave. No employee who participates in the program may contribute more than two (2) days of their accrued sick leave every three (3) years.
- D. Employees who use sick leave from the shared sick leave pool shall not be expected to pay it back.
- E. Donations come from a participating employee's accrued "sick" leave only. A donation from an employee's accrued "annual" leave is not permitted.
- F. Donations shall only be allowed to the Shared Sick Leave Program pool and not to an individual participating employee.
- G. The University of New Orleans limits the number of days a participating employee can draw from the Program to 22 days (176 hours) per calendar year and to 100 days (800 hours) per employee's total participation in the program. (The intent of this policy is to assist an employee's return to the workplace, not substitute for a long-term disability insurance policy).
- H. Days/hours shall be transferred from the pool as they are used.
- I. Employees receiving workers compensation or benefits from a long-term disability insurance policy are not eligible to withdraw leave from the pool.

PROCEDURE

- A. The adoption of this Shared Sick Leave Policy or any policy subsequent to this policy shall not create a legal entitlement.
- B. A Review Committee shall be appointed by the University President. This Committee shall consist of a member from the Division of Business Affairs, a member of the Staff Council, a member from the Office of Student Affairs and Enrollment Management, a member of the Faculty Senate, and two ex officio members: the AVP for Human Resource Management and the Payroll Manager. Once put in place, the Committee will select a Chair. The members appointed shall be eligible for participation in the program.
- C. The Policy along with the Leave Donation Form (See link below) will be issued to all eligible faculty and unclassified employees after the Policy is approved by the System Office for the University of Louisiana System. After the initial Policy notification, the Policy and annual notifications of the Leave Donation Form will be issued after the beginning of each Fall Semester. All Leave Donation Forms must be submitted to the Payroll Manager's Office. The donation of leave will be monitored annually.
- D. Application/Request for Use of Shared Sick Leave Pool (See link below) shall be sent directly to the Office of Human Resource Management. The Review committee will review all requests and make a recommendation to the Chairman of the Committee.
- E. Upon approval, to simplify record keeping, sick leave will be converted on an hour-for-hour basis regardless of the value of the leave being donated or received. Sick leave will be transferred from the pool as it is needed on a per payroll basis. Sick leave from the pool shall be granted on a first-come, first-serve basis with seniority with the University of New Orleans being the tiebreaker.
- F. If the University chooses to end the Shared Sick Leave Program, any accrued leave in the pool will continue to be used until depleted.
- G. Click here for the [Shared Leave Request Form](#) and the [Shared Leave Donation Form](#).



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**Policy Updates:
Revisions: 8/26/2016*