

**EASTERN WEST VIRGINIA COMMUNITY & TECHNICAL COLLEGE
REGULATION No. – AR- 5.6**

TITLE: SICK and EMERGENCY LEAVE USAGE

EFFECTIVE DATE: OCTOBER 1, 2004

General Summary Statement of Administrative Regulation purpose. This regulation applies to all benefits eligible employees, including classified and non-classified status, who have accumulated sick leave hours. The regulation describes when an employee can use sick and emergency leave, as provided in the Community & Technical College Council/Higher Education Policy Commission Series 38, and Eastern policy BP-5.7, which also sets forth the leave accumulation rates. College forms covered by this regulation include, *Application for Leave*, *Application for Leave Verification Request*, and *Medical Verification Receipt*. Usage provisions are required to insure equity among employees, as well as to justify the fiscal implications of paid employee absences upon the College for compliance and audit purposes.

PROCEDURE:

1. Benefits eligible employees accrue sick leave hours at rates proscribed in policies referenced herein. Although sick and emergency leave hours are accrued on a monthly basis, employees may not use accrued hours until the first of the month following the actual month accrued (Ex: March accrued hours may be used on or after April first.)
2. All eligible employees, as well as their immediate supervisor, shall receive monthly statements of their sick leave hours balances. Employees are responsible for reviewing these statements upon receipt and promptly notifying both their supervisor and the payroll office of any discrepancies.
3. An eligible employee, may use sick leave when they are ill, injured, or when in need of medical attention.
4. To use sick or emergency leave for payroll continuation during absence, an employee is required to submit an *Application for Leave* form in advance for planned absences and upon returning to work for unplanned absences. The form requires specification of the total number of hours requested, as well as the date(s) covered. After completion and signature, the employee is required to deliver the form to their immediate supervisor for approval. After approval, documented by signature and date, the supervisor is responsible for forwarding the form to the payroll office.
5. With just cause, the President may require a written medical statement to verify sick leave eligibility for illness or other causes which may be granted under this rule, regardless of the duration of the leave. Reasons for requiring verification of future sick and emergency leave eligibility include, but are not limited to, insufficient sick leave balance, pattern of weekend or holiday related absences or frequent absences. If required for reasons specified in this regulation, the

President will forward an *Application for Leave Verification Request* form to the employee, with a copy to their immediate supervisor.

6. If medical verification is requested, the minimum medical verification shall include: name of the patient, name of the physician or medical provider, date of care and signature in original form (no facsimiles) in accord with standard medical practices. If additional medical verification is required, written notice shall be directed to the employee stipulating the requirements. All medical verification should be confidentially forwarded directly to the President, rather than an employee's supervisor. The medical documents shall be confidentially maintained separate from official personnel and leave file records. These files may only be reviewed by the President, in accord with legal requirements. A receipt form for written medical statements, titled *Medical Verification Receipt*, will be sent to the employee for attachment to their timesheet. This form does not include any medical information, and shall be initialed and dated by the President who has reviewed and received the documentation.
7. Sick leave for more than five (5) consecutive days shall not be approved for an employee without written medical statements. An employee having an extended illness or serious injury shall be required to present satisfactory medical clearance documenting their fitness for duty, prior to their return to duty, as provided in the State rules.
8. When an immediate family member is seriously ill or injured, employees may use accrued sick leave. Time charged to accrued sick leave is limited to time spent to arrange for and/or provide care or treatment for the seriously ill person. Written medical statements will be required to verify the degree of condition and duration of this status from the attending or treating physician or other medical provider. The use of sick leave for the care of immediate family members means those for whom the employee is the primary caregiver and/or live in the same household. Immediate family members, for this purpose, are defined as: children by blood or law, spouse, parents regardless of their residence; or others considered to be part of the household and living under the same roof.
9. Sick Leave may be used for routine doctor or dentist appointments for employees and their minor children by blood or law, minor dependents, or other minors considered in the household and living under the same roof; sick leave may also be used to provide for care of minor children with routine illnesses.
10. No specific bereavement leave is provided. Employees may use sick and emergency leave when a death occurs in the immediate family. The length of absences approved should be for the purpose of and directly related to attending the funeral and/or related services. However, sick leave may not be approved for any estate related responsibilities, including, but not limited to household moves, meetings with legal counsel, or court appearances. For bereavement purpose only, immediate family means: father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren regardless of their residence, or others considered to be members of the household and living under the same roof. All other provisions of this

- regulation apply for usage of Sick and Emergency Leave for bereavement purposes.
11. Sick leave may not be charged for absence due to weather conditions.
 12. Sick leave usage and charges, for all purposes, will be concurrent with Family and Medical Leave Act absences, as authorized in the law.
 13. Sick leave provisions are contingent upon continued employment. When voluntary or involuntary termination occurs, all unused, accumulated sick leave will be forfeited as of the last day present at work, except in cases of retirement.
 14. In the case of voluntary termination, or resignation, any sick leave usage requests following written notice of resignation requires written medical statements for verification.

The Senior Administrator designated with human resources responsibilities is charged with implementation, interpretation, and review of this regulation.

DR. LINDA S. DUNN, PRESIDENT

DATE