

Policy 3500

From Human Resources

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PERSONNEL POLICY

MANUAL

MoDOT Personnel Policy Title: Sickness or Injury Leave

Policy Number: 3500 **Chapter Title:** Leaves of Absence

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Approved By: Micki Knudsen, Human Resources Director
(Signature on file)

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POLICY STATEMENT

The department will allow the accrual and use of paid sick leave for salaried and eligible permanent part-time employees, and will allow the conversion of accrued sick leave to creditable service upon retirement, as described in this policy.

PROVISIONS/REQUIREMENTS

1. Salaried and eligible permanent part-time employees will accrue sick leave at the rate of five hours for each pay period during which they are on the payroll (work or on paid leave) for 80 or more regular hours. They will accrue at one-half (50%) the full-time accrual rate for each pay period during which they are on payroll 40 hours, and be prorated according to the percent of time they are on payroll between 40 and 80 hours.
2. Sick leave may not be used until leave has been earned from prior pay periods. Sick leave must be taken in 15-minute increments and leave may be accumulated to an unlimited amount.
3. Employees may use accrued sick leave during periods of absence from work in the event of personal illness or injury, or for situations covered by Personnel Policy 3505, "Illness in Immediate Family." Employees may be required to furnish medical certification from a health care provider to receive paid sick leave. Employees should read Personnel Policy 0509, "Temporary Modified Duty Assignments," to determine if this type of assignment could be used in lieu of sick leave.
4. If an employee chooses, time off for personal illness or injury may be charged against part or all of his/her accrued annual leave or compensatory time. In such cases, the annual leave or compensatory time used cannot later be restored by transferring the charges to earned sick leave.
5. Employees must exhaust all accrued sick leave before taking unpaid family and medical leave or extended sickness or injury leave when it is used for the employee's illness. Refer to Personnel Policy 3512, "Family and Medical Leave Act," for guidelines on family medical leave.
6. Employees who have been granted a leave of absence without pay, other than those taking unpaid family and medical leave or extended sickness or injury leave for their own illness, retain any unused sick leave credits, which they have at the time of the leave.
7. Leave taken for the birth or placement of a child must be taken within a 12-month period after the birth or placement of the child. When an employee's personal care and attention is required in connection with the placement of a child, loss of time that is supported by appropriate documentation will be charged against the employee's accrued sick leave (normally no more than six weeks), annual leave, or compensatory time. The final decision concerning the granting of leave under this section shall rest with the district engineer or the division leader/state engineer and shall be based upon the degree to which the employee is responsible for the care and nurture of the child.

The paternal guardian may charge up to five workdays of accrued sick leave after the birth or placement of a child. If the absence exceeds five workdays, the employee will be required to provide medical certification from a health care provider stating why the absence requires his/her personal attention and care.

8. Accrued sick leave may be restored to, or transferred into, the department in an unlimited amount by an individual previously employed with the department or other Missouri state agencies. The individual must assume employment with the department within five years after terminating from the payroll of the department or the other agency. Before the transfer of accrued sick leave will be accepted from another agency, the employee must submit written certification from the previous employer specifying the basis on which the sick leave was earned, the period of service involved, and the total unused sick leave at termination. Sick leave will not be accepted in an amount exceeding the five hours per pay period earned by department employees. Colleges/universities in Missouri and some other public entities or organizations are not considered "state agencies" under this policy. The transfer of accrued annual leave from one of these organizations will be allowed only if the State of Missouri has a "Leave Reciprocity" agreement with the organization. Contact the local Human Resources office to learn if an organization has signed a Leave Reciprocity agreement with the state.

9. If an observed holiday falls on an employee's normal workday and the employee is on sick leave with pay, the employee will not be charged sick leave for this day.

10. Sick leave is accrued by any salaried employee or eligible permanent part-time employee who is receiving compensation payments provided under the Workers' Compensation Law.

11. Employees who sustain a compensable injury on the job must complete Form A-450, "Workers' Compensation Disability Preference," indicating whether they wish to supplement workers' compensation lost time benefits with sick leave benefits. (Refer to Personnel Policy 0507, "Workers' Compensation.")

12. Employees must differentiate between personal illness and illness in the immediate family when using sick leave. Supervisors are to ensure time sheets are properly coded. (See Personnel Policy 3505, "Illness in Immediate Family.")

13. Employees who are terminating or taking an approved leave of absence without pay do not accrue additional sick leave following their last day of work. The only exception is when they are using paid leave while off work due to any injury or illness, prior to terminating or beginning the leave of absence without pay. While still in paid leave status, they will accrue additional sick leave. If an injury or illness is involved, documentation from a treating physician will be required.

14. Employees who are retiring will continue to accrue sick leave between the date they sign their retirement papers and their effective date of retirement if they are on payroll (work or paid leave) until their date of retirement.

15. Employees who are members of the retirement system and who retire directly from employment with the department will have their unused accrued sick leave converted to

creditable retirement service. For the purpose of calculating an annuity, the rate of one month of creditable service for each 168 hours of unused sick leave will be allowed. Conversion of sick leave will be made only for full increments of 168 hours and not prorated for portions thereof. There is no other conversion of, or payment for, unused sick leave upon termination of employment, including members vesting in the retirement system.

16. Employees suspended due to felony charges will not accrue sick leave after their last day worked, even though they may elect to use accrued annual leave or compensatory time while suspended. Employees suspended due to felony charges will not be allowed to use accrued sick leave after their last day worked.

CROSS REFERENCES

Personnel Policy 0507, "Workers' Compensation"

Personnel Policy 0509, "Temporary Modified Duty Assignments"

Personnel Policy 3505, "Illness in Immediate Family"

Personnel Policy 3512, "Family and Medical Leave Act"

PROCEDURES

3500, "Sickness or Injury Leave"

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