



Minot State University

Policy Manual

Faculty Sick Leave

Source: SBHE 607.5 (Effective: July 1, 2017)

1. **INTRODUCTION.** This non-accrual, sick leave policy is intended to provide the institution with the ability to accommodate faculty sick leave dependent on the unique environment and needs of the institution and its unique employment relationship with faculty. Sick leave should be used when illness or injury prevents the faculty employee from performing his or her work, or when the employee is needed to care for and assist an eligible family member. Sick leave does not accumulate from contract to contract and has no cash value upon separation from employment. Benefitted faculty's sick leave eligibility begins on the first date of their appointment and terminates on the last day of their contract or appointment. For definitions of eligible family member, eligibility and qualifying events for Family and Medical Leave Act (FMLA), see SBHE Policy 607.4.
2. **BENEFITS PRESERVED.** Faculty, whose contract and institution's policies allowed for accrual or earned but unused benefits prior to July 1, 2017, shall retain such earned unused benefits. However, each institution in accordance with applicable policies, contractual obligation and state law will establish the terms of use or entitlement to compensation for accrued but unused benefits.
3. **SICK LEAVE.** Faculty have the opportunity to reschedule their commitments or make appropriate voluntary arrangements during times when they are unable to meet their professional obligations due to short-term sickness or medical condition. Long term illnesses require additional considerations to cover professional obligations and to comply with state and federal law.
 - a. Short-term – a non-serious health condition requiring a limited period of recovery time. When a faculty member becomes briefly unable to perform due to a short-term illness, they must make reasonable efforts to ensure that their work responsibilities are covered and must inform their supervisor. Each institution may determine the appropriate period of circumstances considered "short-term sick leave."
 - b. Long term – a serious health condition, which is intermittent or continuous in nature, is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in institution or other daily activities. Generally, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive contract days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy or chronic condition. Other conditions may meet the definition of continuing treatment. Human Resources shall require certification to verify the existence of a serious health condition.

- c. Institutions shall establish procedures to implement long term sick leave benefits for up to 6 months of base pay, not less than 75% and not more than 100% base pay, at the institution's discretion, if additional cost is incurred to cover contract responsibilities.
4. **FAMILY SICK LEAVE.** Benefitted faculty shall be granted sick leave attend to the needs of an eligible family member who is ill or to assist them in obtaining other services related to their health. Eligible family members include the employee's spouse, parent (natural, adoptive, foster, and step-parent), child (natural, adoptive, foster, and step-child), or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member. An employee may take up to twelve weeks of leave under this section in any twelve-month period, it does not need to be consecutive. Family sick leave shall be paid in accordance with Section 3 above.
5. **PARENTAL LEAVE.** An institution shall grant an employee's request to use up to six weeks of sick leave immediately following birth or placement to care for the employee's newborn child or to care for a child placed with the employee, by a child-placing agency licensed, for adoption or placed with the employee as a precondition to adoption, but not both. The institution shall compensate the employee for leave used by the employee under this subsection on the same basis as the employee would be compensated if the leave had been taken due to the employee's illness, medical needs, or health needs. Additional leave up to the limit of twelve weeks would be unpaid. If two legal parents of a child referred to above are employed by any NDUS institution, one parent shall be granted up to six weeks paid sick leave, and the second parent will be granted up to two weeks paid sick leave. Each may take additional unpaid leave up to the limit of twelve weeks.
6. **REPORTING.** Benefitted faculty who must be absent from work because of illness or injury will notify their department head or have the department head notified of that fact at the earliest possible time. Institutions shall establish procedures that implement the reporting of all leave.
7. **MAXIMUM LEAVE.** All eligible leave under this policy is capped at twelve weeks except in a serious health condition of the employee which would extend the total leave up to 6 calendar months. FMLA leave shall run concurrently with all other applicable leave.

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