

Prepared by the Office of the Executive Vice President for  
Academic Affairs/Provost  
This is a NEW Executive Policy.

UNIVERSITY OF HAWAI`I

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EXECUTIVE POLICY - FACULTY SICK LEAVE

MAY 2011

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E5.225 - Faculty Sick Leave

I. INTRODUCTION

This Executive Policy embodies former Board of Regents Policy relating to faculty sick leave. With the Board of Regents delegation of authority to the President relating to faculty sick leave, the intent of this Executive Policy is twofold. First, this Executive Policy maintains the policy-based administrative infrastructure created by Board policy relating to faculty sick leave. Second this policy serves to transition the administration of the administrative infrastructure from Board policy to Executive Policy promulgated by the President.

II. PURPOSE

The purpose of this executive policy is to describe the faculty sick leave program.

III. RESPONSIBILITIES

It shall be the responsibility of the President to promulgate a policy in consultation with University executives relating to faculty sick leave. In the event of conflicts between this policy and the provisions of the master collective bargaining agreement, the collective agreement shall prevail.

IV. GUIDELINES

In the event there is any conflict between the guidelines in this Executive Policy and the provision of the collective bargaining agreement, the provisions of the collective bargaining agreement shall take precedent.

A. Purpose. This policy, effective December 1, 1989, was developed pursuant to Article V, D, "Sick Leaves," of the 1989-1993 Agreement between the University of Hawai'i Professional Assembly (UHPA) and the Board of Regents of the University of Hawai'i after consultation with UHPA.

B. General Provisions.

1. Deans/Directors shall have the responsibility to maintain the leave document (UH Form 1) and the monthly Leave Status Report for reference.
2. Earning of Sick Leave. Faculty Members earn sick leave at the rate of one and three-quarter (1 3/4) working days or 14 hours for each full month of full-time service.
  - a. Faculty Members on 9-month appointments shall earn 15.75 days or 126 hours of sick leave credit per academic year. The academic year begins in mid-August and ends in mid-May; therefore, for the purpose of calculating sick leave for the months of August and May, 9-month faculty shall be credited seven (7) hours for the month of August and seven (7) hours for the month of May.
  - b. When a Faculty Member renders less than a full month of service, sick leave shall be earned in accordance with the table of earnings shown below:

<u>Actual Days of Service</u>	<u>Working Days of Leave</u>
For 1 to 3	0
For 4 to 6	1/2
For 7 to 9	3/4
For 10 to 12	1
For 13 to 15	1 1/4
For 16 to 18	1 1/2
For 19 or more	1 3/4

- c. Sick leave for part-time faculty will be prorated on the basis of the FTE percentage.
- d. Faculty employed on a temporary, contractual, or substitute basis while on vacation from another position in the State government or any political subdivision of the State shall not earn sick leave allowance for such employment.
- e. A Faculty Member shall not accrue sick leave allowance:

- (1) During the period of any sick leave granted when the employment terminates or is to terminate at the end of such leave;
- (2) During any period of valid suspension which is sustained in the event an appeal is made by the Faculty Member;
- (3) During any period of unauthorized leave;
- (4) During any period a Faculty Member is on sabbatical or study leave; or
- (5) During the period the Faculty Member is on leave without pay.

f. A Faculty Member shall accrue sick leave allowance during leaves with pay or being paid wage loss replacement under workers' compensation.

### 3. Accumulation of Sick Leave

- a. A Faculty Member may accumulate earned sick leave. The unused sick leave accumulated shall be credited to the Faculty Member's account for subsequent use in the event of illness.
- b. Unused sick leave may be accumulated without limitation. Sick leave shall be administered on a calendar year basis and recorded at the end of each calendar year.

### 4. Notification of Illness

- a. Notification of absence because of illness shall be given as soon as possible to the Department Chair or other equivalent supervisor (hereinafter referred to as the Chair) on or before the first day of absence, or if impracticable, as soon thereafter as circumstances permit.
- b. If in the opinion of the Chair, notification has not been given in accordance with this section, the Chair may recommend to the Dean/Director that such absence be charged to leave without pay.

5. Application for Sick Leave
  - a. Application for sick leave shall be filed on a UH Form 1 within five (5) working days after return to duty; provided that in the event such Faculty Member dies before that time or before returning to duty the executor or administrator of the Faculty Member's estate or the University if it is deemed proper may file such application within six (6) months after the occurrence of death.
  - b. The Faculty Member shall be required to submit a certificate from a licensed physician for absences of more than five (5) consecutive working days to substantiate the fact that the period of absence was to be examined by a physician of the University's choice provided the University assumes the cost of the physician's services.
6. Sick Leave Charged Only for Regular On-Duty Days
  - a. Regular on-duty day is synonymous with regular State of Hawai'i work day and does not include holidays and weekends. A regular on-duty day and a duty week for the purpose of determining sick leave pay shall not exceed eight (8) hours a day and forty (40) hours a week.
  - b. Faculty Members absent from work because of sickness, shall have charged against their sick leave allowance, only regular on-duty days which occur during such absence. For Faculty Members on 11-month appointment this means any regular on-duty day exclusive of non-duty time.
  - c. For Faculty Members on 9-month appointments, this means any regular on-duty day during the period beginning with the first official day of duty period in the Fall and ending with the Spring semester's commencement, including periods when classes are not scheduled.
7. Sick leave may be allowed for medical, dental, optical, and optometrical examination appointments which the Faculty Member cannot schedule during non-duty time.

8. Sick leave shall be allowed for temporary disabilities as defined under the Equal Employment Opportunity Commission Guideline, Title 29, Chapter 14, Section 1604, of the Code of Federal Regulations.
9. Time-off for physical examinations required by the Employer shall not be charged against a Faculty Member's sick leave.
10. Lump sum payment is not allowed for unused sick leave when a Faculty Member terminates; however, such sick leave credits shall be transferred to the Employees' Retirement System (ERS). (Reference: AP 9.350, "Application for Transfer of Vacation and Sick Leave Credit or Payment in Lieu of Vacation")