



Unclassified Personnel Guideline #10 Attachment 2 - University of Wisconsin System

Administrator's Unclassified Sick Leave Questions and Answers

This document is intended to provide benefit administrators with background material, with source documentation, to respond to administrative issues related to the "Faculty and Academic Staff Sick Leave Program."

In order to preserve this important and valuable employee fringe benefit, the University is required to establish policy as to the use and reporting requirements. These requirements are found in the [Wisconsin State Statutes](#), [Wisconsin Administrative Code](#), [Board of Regent Policy](#) and [Unclassified Personnel Guidelines \(UPGs\)](#).

1. How many days of sick leave do full-time faculty and academic staff earn annually?

Full-time faculty and academic staff accrue 12 days of sick leave annually. Twelve days are earned regardless of whether the appointment type is 9 or 12 months. Nine month appointments receive 6 days per semester for each of the Fall and Spring semesters. For less than full-time appointments, leave is prorated based on percentage of appointment.

2. Where are the sick leave eligibility criteria documented?

Section 19.02, Wis. Admin. Code provides the details needed to determine sick leave eligibility.

3. May faculty and academic staff make up time due to illness? For example, by working weekends?

Generally no. Faculty and teaching academic staff schedules are generally designed around teaching and availability to students. As with all professional positions, administrative duties may be required. The department chair at his/her option, in limited circumstances, may approve working at home providing this work is completed during the payroll period the illness occurred.

If such departmental approval is granted and an equivalent amount of time is worked, or "made up," charging sick leave is not required.

4. Why are faculty and academic staff required to complete monthly leave reports?

Leave reports are required by §40.05 (4)(b)(3a), Wis. Stats., and Unclassified Personnel Guidelines #10.

5. When is it appropriate to use sick leave?

Sick leave can be used for personal illness, injury, disability, pregnancy, illness of a family member requiring personal care, and bereavement. It may also be used for some leave authorized under the Wisconsin Family and Medical Leave Laws.

6. May faculty or academic staff use sick leave before it is earned?

Generally no, with one exception. Newly hired full-time faculty and academic staff are granted an initial entitlement of 22 days of sick leave, on date of hire, if in a sick-leave-eligible position. No additional leave is earned until the employee has completed 18 months in an annual appointment or 3 semesters in an academic appointment. After 18 months or 3 semesters have elapsed, full-time faculty and academic staff members may earn a maximum of 12 days per year.

7. Does sick leave continue to accumulate while on a leave of absence?

Faculty and academic staff on an approved leave of absence "with pay" will continue to accumulate sick leave. If the leave of absence is granted "without pay" no additional sick leave is earned.

8. What benefit does sick leave provide faculty and academic staff at retirement and how is it calculated?

At retirement, the accrued sick leave hours are multiplied by the faculty or academic staff's highest rate of pay converted to an hourly rate. This calculation converts the unused sick leave into "credits" used toward the payment of health insurance after retirement. If an employee has 15 or more years of "adjusted continuous" State of Wisconsin service, a special fringe benefit, the Supplemental Health Insurance Conversion Credit Program, generates credits that could be as much as double the sick leave balance, subject to years of service and certain program maximums.

9. Who developed the criteria surrounding faculty and academic staff sick leave reporting? Why is such an emphasis placed on it?

The legislature passed a law, effective in July 1987, which capped the amount of unused sick leave that faculty and academic staff could convert to cover post-retirement health insurance costs. The amount was limited to 6 days per semester, 4 days per quarter or 12 days for 52-week appointments. The law specifies that if the University met certain requirements, the limitation could be waived.

The requirements are:

- a. Institutions establish administrative procedures for the use and crediting of sick leave for faculty and academic staff. Further, these procedures establish the use of sick leave within a scheduled forty hour work week.

The designation is made either by automatic consent to a standard business week of 7:45 a.m. to 4:30 p.m., Monday through Friday, or by mutual agreement with the department chair to an equivalent individual work week.

b. A sick leave accounting system comparable to the Department of Administration's system must be put into place.

Institutions must regularly report to the Board of Regents on the operation of the sick leave system.

All of the above were agreed to, in writing, by each institution's Chancellor prior to each institution receiving its "cap" waiver.

In return for adherence to these requirements the cap on the accrual of sick leave for faculty and academic staff was waived.

10. Can the 40-hour work week vary from week to week?

Alternate work weeks, totaling 40 hours each, are acceptable providing they have department approval and are in writing. In the absence of a formalized schedule, by default, the work week will be 7:45 a.m. to 4:30 p.m. Monday through Friday.

11. According to Ch. UWS 19, Wis. Admin. Code, newly appointed unclassified staff receive an initial sick leave entitlement of 22 days on their date of hire. Can an employee receive more than one initial entitlement during a career?

By way of background, new full-time faculty and academic staff, with an expected appointment of one academic year, receive 22 days of sick leave immediately upon appointment. Upon receipt of an initial sick leave entitlement the employee receives no additional sick leave credits for 18 months. After 18 months pass, faculty and academic staff accrue 12 days annually. Under no circumstances may an appointment accrue more than 12 days annually.

In order to receive more than one "initial entitlement" of 22 days of sick leave, the employee would have to leave unclassified/state service for at least 36 months.

12. If an unclassified staff member leaves State or University service for greater than 36 months will this impact the "Years of Adjusted Continuous Service" used to measure eligibility the "Sick Leave Supplement"?

Yes. To be eligible for the Supplemental Health Insurance Conversion Credit, an individual must have at least 15 years of adjusted continuous service. A break in service of 36 months or more will result in a loss of any prior service.

Note: "Years of Adjusted Continuous Service", for the purposes of the supplemental sick leave benefit, should not be confused with the "Years of Creditable Service" used for Wisconsin State Retirement purposes. While similar in name the two benefits are governed by totally different statutory and administrative rules.

13. Can sick leave be used after the death of a family member as defined in UPG#10.01?

Yes. Bereavement leave, excluding travel time, is generally 3 days. This time may be extended with the approval of the institution's appointing authority or designee.

14. Do faculty earn sick leave while on sabbatical?

Yes, faculty earn sick leave at the same rate they earned sick leave prior to the sabbatical.

15. Can a faculty member have sick leave reinstated if he or she leaves University service and later return?

Yes. If an individual returns to University service within 36 months of leaving, the balance prior to departure is reinstated.

16. Can a rehired annuitant earn sick leave?

Rehired annuitants may earn sick leave, and vacation, if applicable, providing they meet the criteria set forth in Ch. UWS#19.02, Wis. Admin. Code . Accrued sick leave earned after retirement may not be escrowed to pay future health insurance premiums while the individual is collecting a WRS benefit.

17. If a faculty or academic staff member has exhausted all available leave, is it permissible to place the individual on "Leave without Pay" and at what rate should it be charged?

"Leave without Pay" for full-time staff must be charged in half or full day increments. For part-time staff, sick leave should be charged in actual hours of absence used.

Exception: Under state and federal family and medical leave law, employees are entitled to take intermittent leave, or work a reduced schedule, under certain circumstances. If the employee qualifies, his/her intermittent leave should be charged in the actual hours of absence.

18. Is sick leave reported during Winter and Spring semester Breaks? Is reporting required?

Yes. Full-time teaching academic year faculty are in pay status during Winter and Spring breaks and are required to fulfill university obligations, from the beginning of the contract year until the ending date. This includes the registration and advising period and the Winter and Spring break periods. If, due to illness, faculty and teaching academic staff are unable to fulfill University requirements, sick leave should be charged.

19. How do part-time faculty and academic staff report sick leave used?

Part-time staff may charge sick leave on an hour for hour basis in accordance with their approved work schedule. While leave is earned on the basis of the percentage of appointment, sick leave is charged based on actual hours of absence.

20. How, or should, a faculty member report leave taken to attend a conference?

While outside the scope of uses of sick leave, this question frequently is raised in conjunction with leave. No sick leave would be reported as this would be considered professional development. Institutional reporting of professional development may be required.

21. If an individual is on sabbatical, formal leave reporting requiring the employee's original signature may not be possible or practical. Are there alternate verification practices which may be used?

Yes. Where unusual circumstances exist, a faxed or e-mailed leave report is acceptable. In only the most extreme cases, and approved by the institution's chancellor or designee, an employee may designate the department chair to file leave reports in his/her place. The department chair must sign the report filed.

22. What if a faculty member or academic staff's appointment is reduced to less than 1/3 of full-time?

Once an individual meets the criteria established in the Ch. UWS 19.02, Wis. Admin. Code, he/she continues to earn sick leave on a prorated basis.

Every effort has been made to ensure that the information on this site is accurate. In the event of conflicting information, state and federal statutes, applicable contract provisions, and/or Board of Regents policies will be followed.