

<b>Title:</b>	<b>Sick and Safe Leave for Full Time Employees</b>
<b>Reference:</b>	
<input type="checkbox"/> <b>Initial Action:</b>	
<input type="checkbox"/> <b>Board Agenda:</b>	<b>19-018</b>
<input type="checkbox"/> <b>Policy:</b>	<b>March 28, 2019</b>
<input type="checkbox"/> <b>Procedure:</b>	<b>March 28, 2019</b>
<input type="checkbox"/> <b>Last Reviewed:</b>	<b>October 1, 2008</b>
<input type="checkbox"/> <b>Effective:</b>	<b>October 1, 2008</b>
<input type="checkbox"/> <b>Next Review:</b>	<b>As Needed</b>
<input type="checkbox"/> <b>Responsibility:</b>	<b>Director of Human Resources</b>

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**Policy:** Upon employment, full-time employees (administrators, 12- and 10-month faculty, and classified employees) are eligible to receive continuation of full pay if unable to work due to illness or injury, up to the limit of actual sick and safe leave accrued. An employee earns sick and safe leave at a rate of 3.47 hours per pay period up to twelve (12) days per fiscal year (ten days for 10-month faculty), accrued to an unlimited maximum.

In the event of necessity, any full-time employee may request additional paid sick and safe leave which may be advanced in the form of a “loan.” Such unearned leave may be granted up to a maximum of twelve (12) days year and must be “repaid.” The College uses as “rolling” 12-month period measured backward from the date the employee first uses loaned leave to determine eligibility of loaned leave. The request must be approved by the President of the College. As a condition for the advancement of leave, the employee shall agree in writing that, if the employee’s employment with the College terminates before the employee has accrued the amount of leave that was used, the College is authorized to deduct the amount paid for the advanced leave from the employee’s final paycheck

In accordance with the Flexible Leave Act, Chapter 644 of the Laws of Maryland 2008, effective October 1, 2008, employees may use "leave with pay" for an illness in the employee's immediate family - a child, spouse or parent. This law does not affect leave granted under the Federal Family and Medical Leave Act of 1993.

### **Sick and Safe Leave Uses**

Sick and safe leave may be used:

- To care for or treat an employee’s mental or physical illness, injury, or condition.
- To obtain preventive medical care for an employee or employee’s family member.
- To care for a family member with a mental or physical illness, injury, or condition.
- For maternity/paternity leave.
- In domestic violence, sexual assault, and stalking situations against the employee or the employee’s family member:
  - Medical or mental health attention;
  - Services from a victim services organization;
  - Legal services or proceedings;
  - During the time the employee has temporarily relocated.

For purposes of this policy, “family member” means:

- Child (biological, adopted, foster, stepchild, child for whom the employee has legal or physical custody or guardianship, and a child for whom the employee stands in loco parentis).
- Parent (biological, adoptive, foster, and stepparent of the employee or the employee’s spouse, legal guardian, and an individual who acted as a parent or stood in loco parentis to the employee or employee’s spouse).
- Spouse.
- Grandparent (biological, adopted, foster, or step grandparent of the employee).
- Grandchild (biological, adopted, foster, or step grandchild of the employee).
- Sibling (biological, adopted, foster, step sibling of the employee).

Under the Maryland State Retirement System (MSRS), members may convert unused sick and safe leave into creditable service at the time of retirement according to the MSRS formula. Additionally, Sick and safe leave earned at other Maryland community colleges and state or county agencies will be accepted by Cecil College with proper documentation from the previous employer.

**Procedure:**

1. Where the need to use sick and safe leave is foreseeable, employees are required to provide at least seven (7) days advanced notice to their supervisor, before the leave would begin. Request for sick and safe leave may be denied if the employee does not provide proper notice and the employee’s absence will cause a disruption to the employee’s department or the College as a whole.
2. Where the need for sick and safe leave is not foreseeable, employees must provide notice to their supervisor as soon as reasonably possible. Failure to provide notice as soon as is practicable may result in denial of the request for sick and safe leave if the absence will cause a disruption to the employee’s department or the College as a whole.
3. A request for sick and safe leave may be denied if an employee does not provide notice and the employee’s absence will cause a disruption to the College. If an employee does not provide verification as required, the College may deny a subsequent request by the employee to use sick and safe leave for the same reason as that for which the employee did not provide verification.
4. An employee who improperly uses sick and safe leave and/or engages in a pattern of abuse of sick and safe leave may be subject to disciplinary action and to denial of leave.
5. Proper use of sick and safe leave will not be counted as an unauthorized absence and will not be used against an employee for disciplinary purposes.
6. An employee who does not comply with the notice requirements may be deemed to be on unauthorized leave without pay, unless it can be demonstrated to the satisfaction of the

College that it was physically impossible to notify the supervisor of the absence or the employee's progress toward returning to work.

7. When an employee has been out on sick and safe leave for more than five (5) consecutive work days, he/she is required to submit documentation to substantiate the leave to the Department of Human Resources verifying the need for the leave and the expected date of return to work. Additionally, where an employee has been out on sick and safe leave or makes a request to use sick and safe leave for more than five (5) consecutive work days, the supervisor is expected to notify the Department of Human Resources
8. Employees may request to use leave in hourly increments.
9. Leave Requests are processed electronically.

#### **Disposition of Sick and Safe Leave at Termination of Employment**

Unused sick and safe leave is carried forward from year to year. Sick and safe leave shall not be paid out upon termination of employment. Employees that transition from full time to part time status, will follow the Part-Time Sick and Safe Leave policy. On retirement, an employee may receive such retirement credit for unused sick and safe leave as provided by State law and the Maryland State Retirement pension system.

The College will not take adverse action against employees if an employee has in good faith exercised his or her sick/safe leave rights. The College will not interfere with, restrain, or deny an employee's exercise of his or her rights under the Maryland Healthy Working Families Act.