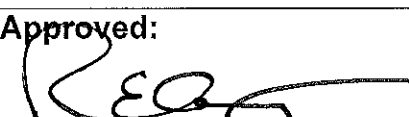




OREGON DEPARTMENT OF FISH AND WILDLIFE POLICY

Human Resources Division

Title:	Sick Leave with Pay	HR_460_01
Supersedes:	HR_460_01, dated April 16, 2007	
Applicability:	Executive and management service employees. Refer to labor agreement for classified represented employees.	
Reference:	State Policy 60.000.01	
Effective Date:	November 1, 2010	Approved: 

I. PURPOSE

Sick leave with pay is granted to eligible employees to provide time off from work to tend to the employee's or a family member's illness or injury.

II. POLICY

A. Accrual Rate

1. A full-time employee accrues eight hours of sick leave per month.
2. A part-time employee or a full-time employee on leave without pay accrues sick leave on a pro rata basis. When determining the pro rata accrual of sick leave each month, the department counts actual time worked and all leave with pay.

B. Eligibility and Use of Sick Leave

1. An employee may use accrued sick leave with pay on or after the first of the month following the month in which it is accrued.
2. An employee uses paid sick leave to tend to the employee's own or a family member's illness, emergency repair of personal assistive devices that are medically necessary for the employee to perform assigned duties, medical or dental care, injury, or death, or any period of absence qualifying as a serious health condition under HR Policy 460_04, Family and Medical Leave.
3. Family member includes the employee's spouse or domestic partner, and the following for the employee and his or her spouse or domestic partner:
 - a. Parent (includes one who stood in loco parentis (in place of a parent) when the employee was a child)
 - b. Child (and spouse) (includes a child whom the employee stood in loco parentis)
 - c. Sibling (and spouse)
 - d. Grandparent

- e. Grandchild
- f. The above include step, adoptive and foster
- g. Members of the immediate household.

- 4. Medical certification by the employee's or family member's medical provider that verifies the need for sick leave may be required by the Human Resources Administrator or designee. See HR Policy 460_04, Family Medical Leave and statutes governing Workers' Compensation for requiring medical certification in those situations.
- 5. Employees shall submit a Department of Fish and Wildlife Leave Request Form in advance of anticipated use of sick leave; if the absence is unanticipated, the leave request form shall be completed immediately upon return.
- 6. Actual time worked and all leave with pay shall be included in determining the pro rata accrual of sick leave each month.

C. Transfer of Sick Leave Hours

- 1. When an employee laterally transfers, demotes or promotes to another agency or the Oregon State University System (OUS), the employee's unused sick leave hours transfer to the gaining entity.
- 2. Upon appointment to the executive branch, unused sick leave hours accrued in an exempt position in the legislative branch are restored if there is no break in service according to ORS 173.005

D. Disposition of Sick Leave Upon Separation or Retirement

- 1. An employee receives no compensation for unused sick leave upon separation except as provided in ORS 238.350.
- 2. Upon retirement of an employee, the department reports all of that person's unused sick leave hours to the Public Employees Retirement System (PERS). PERS considers the unused sick leave to be used as of the effective date of retirement. Sick leave hours are not restored to a PERS retiree who subsequently returns to work.

E. Restoration of Sick Leave Upon Rehire

- 1. Except for (PERS) retirees, unused sick leave hours are restored to an employee returning to state service within two years of separation.
- 2. Unused sick leave hours accrued in an exempt position (other than legislative) or a position with OUS, in a manner comparable to state policy, may be restored upon appointment to a management service, or executive service position if the appointment occurs within two years of separation from the exempt or OUS position.
- 3. Unused sick leave hours accrued in an exempt position in the legislative branch are restored according to ORS 173.005.

F. Coordination with Workers' Compensation

Sick leave resulting from a condition incurred on the job and also covered by Workers' Compensation shall, if elected to be used by the employee, be used to equal the difference between the Workers' Compensation for lost time and the employee's regular salary rate. In such instances, the department prorates charges against the employee's accrued sick leave. An employee who exhausts sick leave may choose to use other accrued leave during a period in which Workers' Compensation is being received, the salary paid for such period shall be equal to the difference between the Workers' Compensation for lost time and the employee's regular salary rate. In such instances, the department prorates charges against the accrued leave. Using leave while receiving time loss benefits is not required.

G. An employee on leave and receiving short-term disability payments may reserve 40 hours of sick leave. If an employee receives disability payments while on Family and Medical leave refer to HR Policy 460_04 Family and Medical Leave regarding use of paid leave.

III. POLICY CLARIFICATION

Although use of compensatory time off may not be required in conjunction with Workers' Compensation, an employee may choose to use compensatory time off for this purpose. Pro-rated charges will be made against compensatory time off.

