

Policy: **Sick-Leave Fund and Direct Sick Leave Grants**  
Policy Number: 241.0  
Date Adopted: 09/01/87  
Revisions: 01/01/90; 01/03/94; 05/16/94  
References: M.C.A. 2-18-618; MUS Policy 801.7.1; ARM 2.21.804-2.21.822  
Approved by: James E. Todd, Vice President  
Administration and Finance

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All University policies are available in an alternative format upon request.

### I. OBJECTIVE

The Sick-Leave Fund allows all University employees to share accumulated sick leave with other eligible employees according to guidelines developed by the board of Regents to comply with 2-18-618, M.C.A. It is the objective of this policy to establish the structure of the Sick-Leave Fund to establish eligibility requirements, and to establish procedures to administer both the Sick-Leave Fund and direct grants of sick leave.

Employees may contribute sick-leave credits to the Sick-Leave Fund for use by fund members or transfer sick-leave credits by making a direct grant to a specific employee who suffers an extensive illness or accident.

### II. DEFINITIONS

Contribution means the number of hours of accrued personal sick leave which an employee must donate to the Sick-Leave Fund to become or to remain a participant in the fund.

Direct grant means the extension to an employee, who may or may not be a participating employee, of up to 160 hours of sick leave in a 12-month period which is donated by other University system employees, who may or may not be participating employees, for the specific use of the employee.

Grant means the extension to a participating employee of sick leave from the Sick-Leave Fund or through a direct grant.

Maximum allowable benefit means no more than 160 hours of sick leave in any continuous 12-month period received as either grants from the Sick-Leave Fund or as direct grants.

Participating employee means an employee of the University system assigned to a position which has been designated as permanent or seasonal who has joined the Sick-Leave Fund by making the initial contribution of the number of hours required by this policy and who has contributed any hours subsequently requested by the Office of Human Resource Services.

Sick-Leave Fund means a pool established to accumulate and disburse voluntarily and irrevocably contributed accrued personal sick leave from University system employees for the purpose of providing sick leave to participating employees.

### III. SICK-LEAVE FUND

To enroll in the Sick-Leave Fund, University employees must meet the following requirements:

1. Complete a Sick-Leave Fund contribution form.
2. Complete the 90-day qualifying period for use of sick leave.
3. Maintain a minimum balance of 40 hours of sick-leave credits following each contribution.
4. Contribute a minimum of 8 sick-leave hours to the fund.
5. Continue to contribute 8 sick-leave hours annually to the fund after becoming a member. These hours will be automatically transferred annually by Human Resource Services to the Sick-Leave Fund unless the employee requests in writing to discontinue membership in the fund or terminates employment.

All contributions are voluntary, irrevocable, and automatic after initial enrollment. Employees may resign from the fund at any time by notifying Human Resource Services in writing. They may later rejoin the fund if they meet all eligibility requirements.

### **Eligible Sick-Leave Credits**

Sick leave accrued prior to July 1, 1971, may not be contributed to the Sick-Leave Fund. Employees may contribute no more than 40 hours in a 12-month period.

### **Sick-Leave Fund Balance**

A minimum fund balance of 400 hours shall be maintained. On March 1 each year, all members of the Sick-Leave Fund must transfer an additional eight (8) hours to the fund. Human Resource Services will make the transfer automatically unless written notice is received from an employee who no longer wishes to participate in the Sick-Leave Fund.

If the fund is depleted below the minimum 400 hours, Human Resource Services will request additional contributions of at least eight hours from fund members. If an employee does not contribute the additional credits within 45 days of the request, the employee's membership in the fund will be discontinued. Participating members of the fund who are exhausting or have exhausted sick leave due to an extensive illness or accident at the time of the request will not be required to contribute the additional sick-leave credits.

### **Use of the Fund**

To be eligible to receive a grant of sick leave from the fund, an employee must meet the following criteria:

1. Complete the 90-day qualifying period to take sick leave.
2. Suffer from an extensive illness or accident which results in absence from work of at least 10 consecutive working days.
3. Be ineligible for workers' compensation benefits.
4. Exhaust all personally accrued sick and annual leave and compensatory time.
5. Have taken 5 days of leave without pay in addition to exhausting all other paid leave.
6. Provide the supervisor with a physician's certificate of extensive illness or accident.
7. Receive approval from the supervisor for a leave of absence and approval from the

Dean/Director and Director of Human Resource Services to receive a grant of sick leave from the fund.

8. Be a member of the Sick-Leave Fund for at least 90 days.

Participation in the Sick-Leave Fund or meeting the eligibility requirements does not guarantee that receipt of sick leave shall be approved.

An employee may request a grant from the Sick-Leave Fund to provide "necessary care of or attendance to an immediate family member ... until other attendance can reasonably be obtained" (ARM 2.21.132). Immediate family member is defined as the employee's spouse and any member of the employee's household, or any parent, child, grandparent, grandchild or corresponding in-law who is suffering from an extensive illness or accident (MOM 3-0310).

If an employee is incapacitated and unable to apply for leave of absence and a grant from the Sick-Leave Fund, another person may do so for the employee.

#### IV. DIRECT GRANTS

Employees do not have to be participating members in the Sick-Leave Fund in order to give or receive direct grants. Employees may make a direct grant of sick leave to an employee who is suffering from an extended illness or accident that results in an absence from work of at least 10 consecutive days. To be eligible to make a direct grant, an employee must have completed the 90-day qualifying period for use of sick leave and have a minimum balance of 40 hours of accrued sick leave, following the contribution, credited to his/her personal balance. An employee may grant a maximum of 40 hours of sick leave in a 12-month period through the direct grant program.

An employee may contribute no more than a combined total of 40 hours of sick leave to either the Sick-Leave Fund or as direct grants in any 12-month period. The 12-month period is calculated from the first day an employee makes a direct grant or contribution to the Sick-Leave Fund. All contributions are irrevocable.

#### **Eligibility to Receive Direct Grants**

An employee may receive no more than a maximum of 160 hours of sick leave in any continuous 12-month period in direct grants. The 12-month period is calculated from the first day the employee takes sick leave which is a direct grant or a grant from the Sick-Leave Fund. To be eligible to receive a direct grant of sick leave, an employee must meet the following criteria:

1. Have met the 90-day qualifying period to take sick leave.
2. Suffer an extensive illness or accident which results in absence from work of no less than 10 consecutive working days.
3. Exhaust all personally accrued sick leave, annual leave, and other accrued paid leave and compensatory time.
4. Take 5 days of leave of absence without pay following exhaustion of all accrued leave and compensatory time.
5. Receive approval from the supervisor for leave of absence.

6. Receive approval from the Dean/Director and Director of Human Resource Services.
7. Provide a physician's certificate to supervisor.

An employee may receive a direct grant of sick leave to provide necessary care of or attendance to an immediate family member until other attendance can reasonably be obtained.

#### V. MAXIMUM GRANT

An employee may receive a combined total of no more than 160 hours of sick leave from the fund or direct grants in any 12 month period.

#### VI. FUNDING

The department employing the recipient of a grant from the Sick Leave Fund or a direct grant of sick leave shall pay all costs of the use of that sick leave.

#### VII. PROCEDURE

Forms for requesting use of the Sick Leave Fund and for donating leave hours are available from Human Resource Services.

#### VIII. PART-TIME EMPLOYEES

Permanent part-time employees are eligible to contribute to use and sick leave, as defined above, on a pro-rated basis according to FTE.