

Standard Practice Guide Policies

Sick Leave Plan – Academic Appointments

201.11-1

Applies to: Instructional faculty not covered under a collective bargaining unit, research professors, and research scientists

I. POLICY

The University, consistent with its needs and requirements, wants to minimize the compensation loss of its faculty members during certain periods of absence from work that occur during their annual appointment periods (from September 1 through May 31 for University-year appointments or at any time for twelve-month appointments) due to personal illness, injury or preventive medical or dental care that is either unavoidable or in the best interest of the University and its faculty members.

II. REGULATIONS AND ELIGIBILITY

If an accident or sickness renders a member of the instructional faculty incapable of performing his or her duties during his or her University-year or 12-month appointment, the faculty member may apply for sick leave income¹. The faculty member's school or college must make alternative arrangements to cover the duties of the faculty member without additional funding.

Faculty are eligible to receive sick leave income for up to three calendar weeks per year to care for a family member whose condition meets the eligibility criteria included in this policy, including care for a family member who loses time from regular work because of incapacity caused or contributed to by pregnancy, miscarriage, abortion, or childbirth. Sick leave income is also available for faculty who are not eligible for paid parental leave, and who are unable to work because they are bonding with their newly born, newly adopted, or newly fostered child. Those faculty ineligible for parental leave (less than six months service) may use sick leave income for bonding during the year following the child's birth or arrival in the home.

A. Eligibility and Compensation

In addition, the availability of sick leave income beyond three weeks per year is described below.

1. All tenure track faculty, lecturers not covered by a collective bargaining unit, clinical instructional faculty, research professors, and research scientists (all ranks) are eligible for sick leave income at their regular rate of pay during incapacity not to exceed three calendar weeks annually. The availability of additional sick leave income, depending on years of service, is described below.
2. All adjunct clinical instructional faculty and visiting instructional faculty, regardless of years of service, are eligible for sick leave income at their regular rate of pay during incapacity not to exceed three calendar weeks annually.

3. Tenure track faculty, lecturers not covered by a collective bargaining unit, clinical instructional faculty, research professors, and research scientists (all ranks) with **one year of service and less than ten years of service** are eligible for sick leave income paid during incapacity at the full rate of the faculty member's academic year annual salary or twelve-month salary for a time not to exceed one-half the length of his or her annual appointment (up to 4 ½ months for faculty who hold University-year appointments and up to 6 months for faculty who hold 12-month appointments).

The aforementioned faculty are also eligible for additional sick leave income paid, during incapacity, at one-half the rate of the faculty member's University-year annual salary or twelve-month salary for a period of time not to exceed an additional one-half the length of his or her annual appointment (up to an additional 4 ½ months for faculty who hold University-year appointments or up to an additional 6 months for faculty who hold 12-month appointments).

As an alternative to the arrangement described in the two preceding paragraphs, the faculty member may opt to receive sick leave income paid during incapacity at the full rate of the faculty member's academic year annual salary or twelve-month salary for a time not to exceed three-quarters the length of his or her annual appointment (up to a total of 6 ¾ months for faculty who hold University-year appointments or up to a total of 9 months for faculty who hold 12-month appointments).

4. Professors, associate professors, clinical professors, clinical associate professors, research professors, research associate professors, research scientists, and associate research scientists with **ten or more years of service** are eligible for sick leave income paid during incapacity at the full rate of the faculty member's academic year annual salary or twelve-month salary for a time not to exceed the length of his or her annual appointment (up to 9 months for faculty members who hold University-year appointments or up to 12 months for faculty members who hold 12-month appointments).

5. The aforementioned faculty are also eligible for additional sick leave income paid during incapacity at one-half the rate of the faculty member's University-year annual salary or twelve-month salary for a time not to exceed the length of his or her annual appointment (up to an additional 9 months for faculty members who hold University-year appointments or up to an additional 12 months for faculty members who hold 12-month appointments).

As an alternative to the arrangement described in the two preceding paragraphs, the faculty member may opt to receive sick leave income paid during incapacity at the full rate of the faculty member's academic year annual salary or twelve-month salary for a time not to exceed one length plus one-half the length of his or her annual appointment (up to a total of 13 ½ months for faculty who hold University-year appointments or up to a total of 18 months for faculty who hold 12-month appointments).

B. Initial Period of Illness

The first three calendar weeks of incapacity due to accident or illness will not be included in computing the maximum sick leave income allowable under (II.A.3 and II.A.4) above. In each instance of incapacity in excess of three calendar weeks, the eligible faculty member must apply for sick leave income by providing the required documentation. (See procedures below.)

C. Incapacity

Under the terms of this policy, a faculty member is considered to be in a period of incapacity when he or she is totally unable to perform his or her University responsibilities. Cases of temporary partial or permanent partial incapacity are not included but each such case will be subject to special action

by the President (or his or her designate) by providing a part-time appointment or making another adjustment, depending on the circumstances.

D. Subsequent Periods of Incapacity

If a faculty member becomes incapacitated (as defined by this policy) on two or more occasions, the amount of sick leave income available to him or her for the second or subsequent incapacity is the amount of sick leave income for which the faculty member is eligible as described in this policy (including the annual three weeks per calendar year) minus any sick leave the faculty member used during the five years before the date on which the faculty member becomes incapacitated.

E. Worker's Compensation

When a faculty member receives a Worker's Compensation benefit, including any dependency allowance, for time lost from work, please see SPG 519.02, Worker's Disability Compensation (<https://spg.umich.edu/policy/519.02>), for further guidance.

F. Vacation

When a faculty member meets the sick leave eligibility requirements while on vacation, the individual has not lost time from regular work and is therefore not eligible for sick leave under this plan except for certain unusual circumstances (e.g., hospitalization). Under such circumstances the faculty member may request that he or she not be charged with vacation but that it be considered as sick leave. Such a request is subject to approval of the department chair or academic program director, the dean and the Office of the Provost and Executive Vice President for Academic Affairs.

G. Pregnancy

When a faculty member loses time from regular work because of incapacity caused or contributed to by pregnancy, miscarriage, abortion, or childbirth, (in conjunction with maternity (childbirth) ;leave under SPG 201.30-6, Paid Maternity (Childbirth) and Parental leaves) during the period of incapacity she is eligible to use sick leave under the terms of this policy.

H. Exclusions

No sick leave income is payable if incapacity results from war, insurrection, rebellion, or participation in a riot or civil commotion; or from engaging in any criminal act, intentionally self-inflicting injury or illness for fraudulent purposes, or while working for an employer other than the University. The University will not pay sick leave income to an eligible faculty member during his or her leave of absence without salary.

I. Doubtful Eligibility

At any time, the University may require evidence (which it deems acceptable) of a condition that qualifies a faculty member for sick leave income. A statement from a faculty member's physician may be required. Examination by a physician, designated by the University, and at the University's expense, may be required at any time.

J. Records

The department, academic program, dean's office, or other designated office should maintain a complete, accurate report of sick leave absence, which is essential. Accurate record keeping of sick leave income absence provides faculty members with the basis for possible income tax exemption.

K. Transfers

When a University employee who holds a non-instructional regular appointment accepts an instructional appointment that qualifies him or her for sick leave under this policy, he or she will be eligible for sick leave based on his or her length of service beginning from the time he or she accepts the instructional appointment. Instructional faculty members who are eligible for sick leave under

this policy and who transfer into a regular non-instructional appointment will be eligible for the sick leave plan for which the new position qualifies him or her.

L. Terminations

Eligibility for sick leave ceases on the effective date of the faculty member's termination. A faculty member who is ill on or immediately prior to a previously determined termination date is eligible for sick leave through the previously determined termination date.

M. Return to Work

Insofar as possible while maintaining orderly and efficient operations of the unit concerned, during the period of time when the faculty member is incapacitated the unit will not fill his or her position except through temporary arrangements.

N. Use of Vacation Time

At the request of the faculty member, after his or her available sick leave income, and leaves provided under SPG 201.30-6 Paid Maternity (Childbirth) and Parental Leaves, is exhausted the University may charge an absence from work covered by this policy against the individual's available vacation time (if any).

O. Time Off Without Pay

If a faculty member is absent from work beyond sick leave and vacation benefit availability, and leaves provided under SPG 201.30-6 Paid Maternity (Childbirth) and Parental Leaves, the department chair, academic program director, or dean may provide excused time off without pay for a period of time not to exceed three calendar weeks. Longer absences must be in accordance with SPG 201.30-1 Leaves of Absences Without Salary.

P. Continuation of Benefit Plans

1. For each month the faculty member receives **full regular income** under this plan, deductions and contribution practices will be the same as when the faculty member was actively working.
2. For each calendar month in which the faculty member receives **one-half regular income** under this plan, the University's and the faculty member's share of contributions to the retirement, group life insurance, and health insurance programs in which the staff member was enrolled at the time of his or her sickness or injury (in accordance with his or her salary at the time of sickness or injury) will continue based on one-half salary. Eligibility for health and life insurance will continue even when the one-half pay reflects less than a fifty percent (50%) appointment. If the faculty member has exhausted all available sick leave income and he or she is unable to return to work, where applicable he or she may use any vacation time he or she has accrued during each calendar month when he or she received one-half regular income to extend his or her absence from work at one-half regular income.

III. OTHER RELEVANT POLICIES

A. The Family and Medical Leave Act of 1993 (FMLA)

The FMLA allows eligible employees up to twelve weeks of job-protected leave per year, provides for continuance of the employee's pre-existing health, dental and vision coverage during this leave period, and restores the employee to the same or an equivalent position at the conclusion of the designated leave. The FMLA applies to all employees with at least one year of service who worked at least 1250 hours in the previous twelve months.

Additional information can be found at <https://hr.umich.edu/leaves-of-absence> (<http://www.benefits.umich.edu/events/leaves.html>) and at <http://www.hr.umich.edu/hra/FMLA> (<http://www.hr.umich.edu/hra/FMLA>).

¹ For faculty who hold University-year (9-month) appointments, sick leave is not available for any Spring half-term, Summer half-term, or Spring-Summer term appointments they may hold. Also, for instructional faculty members who hold University-year appointments, the University disperses salary to them over twelve months. Consequently, the University disperses sick leave income based on the twelve months of salary disbursement rather than on the nine months of the appointment.

Procedures: <https://hr.umich.edu/working-u-m/my-employment/uhr-procedures/20111-1-sick-pay-income-plan-academic-appointments> (<https://hr.umich.edu/working-u-m/my-employment/uhr-procedures/20111-1-sick-pay-income-plan-academic-appointments>)

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Related Policies:

Paid Maternity (Childbirth) and Parental Leaves (</policy/201.30-6>)
Unpaid Leaves of Absence (Instructional) (</policy/201.30-1>)
Workers' Disability Compensation (</policy/519.02>)

Related Links:

Family and Medical Leave Act (FMLA) Tutorial (<https://hr.umich.edu/working-u-m/my-employment/fmla>)
UHR Procedures (<https://hr.umich.edu/working-u-m/my-employment/uhr-procedures/20111-1-sick-pay-income-plan-academic-appointments>)
Benefits: Leaves of Absence (<https://hr.umich.edu/leaves-of-absence>)

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