ADMINISTRATIVE POLICY STATEMENT

Policy Title: Leave
APS Number: 5062
APS Functional Area: HUMAN RESOURCES

APS 5062-LEAVE
Section 2: Sick Leave

Applies to: All employees

SECTION 2 – SICK LEAVE

I. INTRODUCTION
The intention of this policy is to define sick leave benefits listed in Regent Policy 11.E: Leave Policies for Faculty and Staff for each employment classification. The provisions of this University Sick Leave Policy are intended to be interpreted in conjunction with the Family Medical Leave Act (FMLA), Sick Leave and FMLA leave shall run concurrently, if applicable.

II. POLICY STATEMENT
A. Usage for all employment classifications

1. Usage. Sick leave is earned when eligible employment begins. If the employee has sick leave available, it may be used in the following circumstances:

   a. When the employee has a mental illness or a physical illness or injury (not covered by workers’ compensation), or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care.

   b. When the employee needs to care for a family member who has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care.

   c. When the employee needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member, as defined in II.A.2 below.

   d. When the employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime.

   e. When the employee needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member’s school or place of care.
f. When the employee needs to evacuate the employee’s place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee’s residence.

d-g. When the employee needs to be absent from work due to a public official closing the employee’s place of business or the school or place of care of the employee’s child during a public health emergency, due to a public health emergency, a public official has ordered the closure of the employee’s place of business or the school or place of care of the employee’s child and the employee needs to be absent from work to care for the employee’s child.

e-h. When the employee is on Parental Leave under section 11 of this APS.

f-i. When the employee is on Family Medical Leave or Family and Medical Leave Insurance (FAMLI) leave.

2. **Family member.** For purposes of section 2 and section 12, an employee’s family member means a person who is related by blood, marriage, civil union, or adoption to the employee; a child to whom the employee stands or stood in loco parentis; and a person for whom the employee is responsible for providing or arranging health or safety-related care.

3. **Rehire.** If an employee separates from employment and is rehired within six months after the separation, the employee shall be entitled to any paid sick leave that the employee accrued but did not use during the employee’s previous employment with the university and that had not been converted to a monetary compensation to the employee at the time of separation from employment.

4. **Holidays.** When a holiday occurs during sick leave, the holiday is not considered sick leave.

5. **Leave without Pay.** There is no sick leave accrual during periods of leave without pay or when on short work break, except for military leave without pay and furloughs.

6. **Documentation.** Documentation may be required from an employee if four or more consecutive days of paid sick leave are taken.

7. **Disability.** If sick leave extends beyond six months, the employee may consider disability coverage, if eligible.

B. **Nine-Month Faculty**

1. **Accrual.** Per regent policy 11.E, eligible nine-month faculty on 100% appointment accrue eleven (11) days (88 hours) of paid sick leave annually. Faculty who are on a part-time (less than a 100%) appointment will accrue sick leave on a pro-rated basis. Accrual begins on the first day of eligible appointment. There is no limit on how much sick leave a nine-month faculty member may accrue.

2. **Usage.** Sick leave may be required to be used when the university must replace the eligible faculty member in the classroom, or when the dean or other administrative superior, after consultation with the department concerned, shall so decide. Although nine-month faculty members do not accrue sick leave during summer appointments, they may use accrued sick leave during summer appointments.

3. **Compensation.** No compensation for unused sick leave shall be paid upon separation from employment with the university.

C. **University Staff and 12-Month Faculty**

1. **Accrual.** Per regent policy 11.E, eligible full-time university staff and faculty on twelve-month appointments are eligible to receive fifteen (15) working days (120 hours) of paid sick leave annually, earned as 10 hours per month. Eligible employees who are on a part-time (less than 100%) appointment accrue sick leave on a pro-rated basis. Accrual begins on the date that eligible employment begins. There is no limit on how much sick leave an employee may accrue.
2. **Compensation.**

a. An employee may be eligible for sick leave compensation based on meeting retirement eligibility, per Regent Policy 11.E: Benefits.

b. Upon payout due to CU retirement eligibility, the employee’s remaining sick leave balance will be removed, leaving the accrued sick balance at zero (0) hours.

c. If an employee has multiple appointments, the compensation rate for the payout upon retirement may be the average of the hourly rates on all active, leave eligible appointments, unless the leave balances were tracked and maintained separately for each appointment.

3. **Transfer between Appointments.**

a. Employees in university staff and 12-month faculty appointments who transfer or return to a nine-month faculty or other appointment that does not allow sick leave payouts are eligible to receive payment for earned, unused sick leave if eligible for early or full CU retirement at the time of transfer according to the maximums in Regent Policy 11.E: Leave Policies for Faculty and Staff.

b. If the employee transferring from a university staff or 12-month faculty appointment to another university appointment that does not allow sick leave payouts is not eligible for early or full CU retirement, the sick leave balance, beyond 48 hours of retained sick leave, is forfeited upon transfer to the other appointment.

D. **All Other Faculty on Contracts (including applicable student faculty)**

1. **Accrual.** Per regent policy 11.E, faculty on a 100% appointment in this category, are eligible to receive three (3) days (24 hours) of sick leave per semester but no more than nine (9) days (72 hours) annually. Accrual begins on the date the appointment begins. Faculty who are on less than a 100% appointment, will accrue sick leave on a pro-rated basis. Accrual may not exceed six (6) days (48 hours) on July 1 of every year. Up to six (6) days (48 hours) of accrued sick leave may carryover from year to year.

2. **Usage.** Sick leave will be granted on the dates noted and may be used immediately.

3. **Compensation.** No compensation for unused sick leave shall be paid upon termination from the university.

E. **All Other Paid Employees (including non-contract temporary employees, student employees, and applicable student faculty)**

1. **Accrual.** Per regent policy 11.E, employees paid monthly or hourly are eligible to accrue 0.034 hour of sick leave for every hour worked. Accrual begins on the first day of eligible appointment. An eligible employee who works part time earns sick leave on a prorated basis. Accrual may not exceed six (6) days (48 hours) on July 1 of every year. Up to six (6) days (48 hours) of accrued sick leave may carryover from year to year.

2. **Usage.** Sick leave will be earned upon hire date and accrued at the end of each payroll cycle. An employee is not entitled to use more than six (6) days (48 hours) of sick leave annually.

3. **Compensation.** No compensation for unused sick leave shall be paid upon termination from the university.

4. **Accrual Mechanism.**

a. **Monthly.** Accrual will be accrued after each monthly payroll process.

b. **Biweekly.** Accrual will be calculated after each biweekly payroll process.

F. **Secondary Appointments**

Secondary appointments are primarily used to compensate employees for additional duties over and above their full-time appointment. If an employee has a full-time or 100% appointment and a secondary appointment, no additional
sick leave shall accrue under the secondary appointment. If an employee has a less than full-time or 100% appointment and a secondary appointment, sick leave may accrue under the secondary appointment, but the total sick leave accruals under both appointments is limited to the maximum annual accrual for the primary appointment. No employee shall be eligible for more than fifteen (15) working days of paid sick leave annually, earned as 10 hours per month.

G. Classified Staff

1. Sick leave benefits for classified staff are governed by the State of Colorado Personnel Board Rules.

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**APS 5062-LEAVE**

**Section 4: Bereavement Leave**

**Applies to:** University staff and faculty on 12-month appointments.

**SECTION 4 – BEREAVENTMENf LEAVE**

**I. POLICY STATEMENT**

University staff and faculty on 12-month appointments may receive up to five working days of paid leave for each death to arrange for and attend the funeral and other affairs of a member of the employee’s immediate family when they would otherwise have to work.

Bereavement leave is not intended to be used for end-of-life care.

For purposes of bereavement leave, immediate family members include: spouse, children, parents, grandparents, grandchildren, brothers, sisters, mothers-in-law, fathers-in-law, sisters-in-law, brothers-in-law, sons-in-law, and daughters-in-law, and any other person who is a member of the employee’s established household. A supervisor may allow an employee to receive up to five paid working days of bereavement leave for an equally significant other person not included in this definition.

While all employees may utilize sick leave for bereavement purposes, per section 2 of this policy, university staff and faculty on 12-month appointments can exhaust bereavement leave allocation prior to utilizing sick leave.

Supervisors have the discretion to ask for documentation when leave abuse is suspected. Please work with Human Resources.