

Office of Personnel Management

Policy

Policy Title: Sick Leave	Policy Number: 50.16
Citation: Arkansas Code Annotated §§ 21-4-206—208; § 21-4-501; § 21-4-505	Forms: Employee Leave Request http://www.dfa.arkansas.gov/offices/personnelManagement/Pages/forms.aspx

Specific Provisions

Any employee who works in a regular salary position shall accrue sick leave with pay in the same proportion as time worked. Sick leave with pay shall not be granted to emergency, hourly, intermittent, or per diem employees. Sick leave with pay shall be allowed to provisional and temporary employees on the basis of one (1) day for each completed month of service.

Sick leave with pay shall be allowed to permanent, probationary, provisional, and temporary employees who are working one-half (1/2) time or more on a pro rata of the schedule for full-time employees for each complete month of service.

Except for fire and emergency employees of the State Military Department, employees accrue sick leave at the rate of one (1) day for each completed month of service; however, no employee shall have over 120 days accumulated on December 31st of each year. Accrued leave may exceed 960 hours during the calendar year, but those days in excess of 120 days hours will be forfeited if not used by December 31st of each year. Employees who have a balance of over 120 days at the end of the calendar year may donate their time over 120 days to the catastrophic leave bank.

Each fire and emergency service employee of the State Military Department who works a regularly scheduled shift of more than forty-seven (47) hours per week is entitled to sick leave with full pay computed on the basis of one (1) day and four (4) hours for each complete month of service. Fire and emergency service employees may accumulate one hundred eighty (180) days of sick leave to carry over at the end of the calendar year. Employees who have a balance of over 180 days at the end of the calendar year may donate their time over 180 days to the catastrophic leave bank.

A two-year state-supported institution may compensate a nonclassified employee for accumulated unused sick leave. Sick leave for non-classified employees at institutions of higher education shall accrue at the same rate for classified employees for the purpose of calculations of compensation for accumulated unused sick leave.

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Sick leave accrued during a calendar month is not considered to be earned by an active employee until the last working day of the month, and the leave must be earned before it can be used. For accrual purposes only, employees will accrue half their monthly accrual of sick leave if employed on the first (1st) working day of the month and are in active status on the payroll through the 15th of that month. Employees will accrue half their monthly accrual if employed on the 16th of the month and are in active status on the payroll through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first (1st) working day thereafter.) Employees will not borrow from anticipated future accruals.

Sick leave may be used for only the following purposes:

1. When the employee is unable to work because of sickness or injury; or for medical, dental or optical treatment.
2. Death or serious illness of a member of the employee's immediate family. Immediate family is defined as the father, mother, sister, brother, spouse, child, grandparents, grandchild, in-laws or any individual acting as a parent or guardian of an individual.

The use of sick leave is contingent upon the occurrence of one of the events listed above. If the event never occurs, the employee is not entitled to the sick leave benefits.

Employees are not entitled to payment for accrued and unused sick leave when they terminate their employment.

Employees continue to earn sick leave at the normal accrual rate when they are on sick leave or annual leave.

Sick leave is granted on the basis of work days, not calendar days. Non-work days, such as holidays and weekends, are not charged as sick leave.

An employee may not earn sick leave when in a leave without pay status for ten (10) or more cumulative days within a calendar month.

The minimum sick leave amount an employee can use is fifteen (15) minutes. No smaller amount shall be authorized or used.

Absences due to sick leave, except in the case of maternity leave, shall be charged in the following order: (1) earned sick leave; (2) earned annual leave; (3) shared leave; (4) catastrophic leave; and (5) leave without pay. If an employee does not qualify for shared leave or catastrophic leave, then the employee may use leave without pay.

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Employees who are on sick leave for five (5) or more consecutive days must furnish a certificate of illness from an attending physician. An agency or institution which has a written procedure to identify patterns of sick leave usage may require an employee to furnish a certificate from an attending physician for any use of sick leave. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a physician's certificate.

If an employee is terminated due to a RIF, the employee will have all accrued sick leave restored if the employee returns to state employment within six (6) months of termination.

Revised August 10, 2015