

Article 30: Sick Leave

Section 1. Sick Leave with Pay. The parties acknowledge applicability of the state Sick Leave Act to Graduate Employees represented by the Union. It is agreed by the parties that sick leave with pay for Graduate Employees shall be determined in the following manner:

- (A) **Eligibility for Sick Leave with Pay.** Graduate Employees shall be eligible for sick leave with pay immediately upon accrual.

- (B) **Availability for Sick Leave with Pay.** Sick Leave accruals will be available at the beginning of each academic term that the Graduate Employee receives an appointment. Accrual balances may be viewed by the Graduate Employee in the on-line time and attendance system and at mytime.oregonstate.edu.

- (C) **Determination of Service for Sick Leave with Pay.** Time worked and sick leave with pay shall be included in determining the pro rata accrual of sick leave hours provided.

- (D) **Accrual Rate of Sick Leave.** Graduate Employees shall accrue sick leave at the following rate:

Employment Fraction (FTE)	Regular Hours Worked in the 13 Week Appointment Period	Sick Leave Accrual
.20	104	4
.25	130	5
.30	156	6
.35	182	7
.40	208	8
.45	234	9
.49	255	10

- (E) **Compensation Rate of Sick Leave Accrual.** When a Graduate Employee uses sick leave accruals, they will be compensated at their current rate of pay.

- (F) **Carry Over, Reappointment, and Restoration of Sick Leave Accruals.** Up to eighty (80) hours of unused sick leave will be carried into the next Graduate Employee appointment period when the next appointment occurs within five (5) years of the end of the original appointment.

- (G) **Limitations on Sick Leave with Pay.** Maximum accrual is forty (40) hours in a fiscal year.

Section 2. Utilization of Sick Leave with Pay.

(A) **Conditions of Use.** Sick leave may be taken by a Graduate Employee when they or their family member experiences a mental or physical illness, injury or health condition, need for a medical diagnosis, care or treatment of mental or physical illness, injury or health condition or need for preventative care.

Sick leave may be taken within 12 months of the birth or adoption of a child. Sick leave may also be taken as bereavement within 60 days of a death of an immediate family member.

Sick leave may be taken in the event that a lawful public health authority declares an emergency relating to the Graduate Employee’s employment, their self-care, or the care of a family member.

Sick leave may be taken in the event that the Graduate Employee seeks legal services, law enforcement services, or medical treatment relating to domestic violence, harassment, sexual assault or stalking for themselves or a minor child. In these cases, victim services and home relocations may also be covered by sick leave. The Office of Equity and Inclusion, <http://oregonstate.edu/oei/>, provides support to those experiencing these circumstances.

(B) Definition of Family Member. “Family member” means the spouse or domestic partner of an employee, the biological, adoptive or foster parent or child of the employee, the grandparent or grandchild of the employee, the sibling of the employee, a parent-in-law of the employee, or a person with whom the employee was or is in a relationship with in the place of a parent.

(C) Requests and Recording of Sick Leave Accrual Use. The University must provide a Graduate Employee their accrued paid sick leave upon request. The graduate assistant must make a reasonable effort to use accrued sick leave in a manner which does not unduly disrupt the operation of the University. In the event that the use of leave is foreseeable, requests should be made ten (10) days in advance of the date of the expected leave and state the expected duration of the leave. In the event that the leave is not foreseeable, the graduate assistant must follow the notice requirements set forth by the supervisor and provide an estimated amount of time that leave is expected. Requests will be made in accordance with the expectations of the supervisor, and leave will be recorded in advance in cases of foreseeable leave, or immediately upon the return from leave in cases of unforeseeable leave. Leave will be recorded in the University’s on-line time and attendance system in hourly increments.

(D) Consecutive Hours of Sick Leave Use. The University may require the Graduate Employee to provide verification from a health care provider of the need for the sick leave if the employee takes more than twenty-four (24) consecutive hours, based upon a 1.0 FTE, of paid sick leave. The University shall pay any reasonable cost required for providing medical verification certification.

Section 3. Coverage for Sick Leave Use. Expectations for coverage for use of sick leave should be discussed in advance of the use of leave between the Graduate Employee and supervisor.

(A) Limitations to Require a Replacement. The University may not require the Graduate Employee to search for or find a replacement Graduate Employee when utilizing accrued sick leave or work an alternative shift or schedule to make up for the use of the sick time.

(B) Flexible Schedules. With mutual consent between the Graduate Employee and supervisor, the Graduate Employee may “flex” their schedule by working additional hours or shifts in place of using sick leave accruals.

Section 4. Application of Sick Leave to Other Leaves. Graduate Employees may be eligible for leave under multiple University policies as a student or as an employee, whether for their own medical condition or the condition of a family member. A full description of the leave policies and coverages that may apply to Graduate Employees can be found at: <http://hr.oregonstate.edu/benefits/leaves/family-and-medical-leave-act-fmla/graduate-assistantships-family-medical-leave>.

Eligible leaves, including but not limited to paid sick leave under this Article, will run concurrently when coverages overlap. For each medical episode requiring leave, the employee must first utilize accrued and donated paid sick leave and then enter into unpaid leave status, until they return to work.

Section 5. Leave Donation.

- (A) Graduate Employees on an active appointment may irrevocably donate up to 30 hours of accrued sick leave to other Graduate Employees on an active appointment.
- (B) A Graduate Employee may receive a one (1) time donation of up to 30 hours of sick leave, either as a donation from a single employee or as a combined donation from multiple employees. The University shall not assume any tax liabilities that would otherwise accrue to the employee receiving the donation. The Graduate Employee receiving donated leave must use the leave in accordance with the provisions set forth in Section 2 (A) of this Article. If the sick leave donation recipient fails to exhaust donated leave for the purpose for which it was donated, the unused leave donations shall be returned to the donating employee(s).
- (C) Applications for donated leave shall be in writing and sent to the University’s Office of Human Resources and accompanied by the treating physician’s written statement certifying that the illness or injury will continue for at least ten (10) calendar days following the projected exhaustion of accumulated leave. Donated leave may be used intermittently. In cases where a new accrual is received by the Graduate Employee during the leave period, the Graduate Employee’s accruals will be used first, prior to the use or continued use of donated leave.

Section 6. Nondiscrimination. Use of sick leave accruals under the provisions set forth in this article are protected under Article 24- Nondiscrimination.

Article 11: Salary

Section 1 through 4- current contract language.

Section 5. Substitute Work.

Graduate Employees substituting for the work of another Graduate Employee under Article 30: Sick Leave, shall be compensated at the hourly rate corresponding to the monthly minimum salary established in Section 1 of this Article. In no case shall a Graduate Employee work over 259 hours per term. Graduate Employees may not work in excess of their available substitute hours each term without an adjustment to their FTE and sick leave accrual.

Employment Fraction (FTE)	Regular Hours Worked in the 13 Week Appointment Period	Maximum Substitute Hours Available per Term
.20	104	16
.25	130	20
.30	156	24
.35	182	28
.40	208	32
.45	234	25
.49	255	4