

<b>Title: Sick Leave</b>	<b>Number: 5.20-2.1111.1</b>
<b>Approved by the Board of Governors</b> <b>Date: November 14, 2011</b>	<b>Implementation</b> <b>Date: November 14, 2011</b>
<b>History: Faculty/Staff Guidelines 1999</b> <b>Scheduled Review Date: November 2014</b>	<b>Origin: Human Resources</b> <b>Authority: VI Labour Code 2010 / Social Security Ordinance</b>

### **Rationale**

The College believes that healthy employees are more productive and supports employees as they care for themselves and recover from medical conditions. The College's position on sick leave meets the requirement of the Virgin Islands Labour Code Act, 2010.

### **Policy**

HLSCC subscribes to the policy of providing sick leave to continue the salary of eligible employees who are absent from work due to illness or medical appointments. Fulltime employees are eligible for twelve (12) days sick leave per annum. The policy is further guided by the clauses below.

#### **1) Medical Practitioner's Statement**

- a. An employee who is absent from work due to illness for a period exceeding two (2) days must provide a medical certificate.
- b. Under the Social Security Ordinance, an employee who is absent from work due to illness for a period exceeding three (3) days is eligible to receive sickness benefit. As an insured person with the Social Security Board, in addition to providing a medical certificate for periods of illness exceeding three (3) days, employees are asked to file a sickness benefit claim with Social Security Board within thirty (30) days from the day on which the illness commenced. Benefits received from Social Security Board will serve to cover wages lost for the duration of the illness which will be deducted from wages upon receipt of documentation from the Social Security Board.
- c. It is within the discretion of the employee's immediate supervisor to require documentation concerning illnesses resulting in absences of two working days or less. If the employee does not provide proof when requested disciplinary action may be taken.

## **2) Abuse of Sick Leave Privileges**

- a. Abuse of sick leave privileges may be grounds for disciplinary action.
  - b. Any employee taking sick leave immediately prior to or immediately after a public holiday or authorized leave is required to submit a medical certificate.
  - c. It is not permitted to be gainfully employed elsewhere while out on sick leave.
  - d. Management reserves the right to request a medical certificate from suspected policy abusers on the first day of illness.
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### **Procedures**

**Purpose:** To outline the policy and procedures for College employees' sick leave.

**Authority:** HLSCC Board of Governors and BVI Labour Code 2010

**Eligibility:** An employee is eligible for paid sick leave if he/she has been employed with the College for the probation period prior to the commencement of the leave, and for the unpaid leave from the date of employment. An employee must be employed on a contract of more than 50% and be a permanent worker to be eligible.

**Accrual Rates:** Sick leave does not accrue and an employee is eligible for 12 days paid leave per annum, which can be credited to the employee as needed by the Human Resources Department.

**Maximum Allowable Accumulation:** Unused sick leave cannot carry over from one year to another.

**Use of Sick Leave:** Sick leave will be granted under the following conditions:

1. The employee becomes ill.
2. The employee must attend a medical appointment.
3. Sick leave must be taken in not less than half day increments.

### **Scheduling of Sick Leave:**

- a. An employee must promptly notify his/her immediate supervisor, who notifies the Human Resources Department, of inability to report to work due to illness. The employee must notify his/her supervisor in accordance with departmental policy (within the first hour of the work day on the first day of absence). If the employee's situation prevents him/her from notifying the supervisor, someone acting on behalf of the employee must do so. The employee must also

keep the supervisor informed if the absence continues for more than one day, until a medical certificate is submitted.

- b. When an employee expects to be absent from work to attend a medical appointment, the employee must notify the Human Resources Department via the immediate supervisor. If the time required for the medical appointment is less than a half day, the Human Resources Department requires no notification. When an employee knows in advance the date he/she may need to be absent that qualifies the employee for sick leave, the employee is required to give at least two (2) weeks' notice. When days are not known in advance, as much notice as may be reasonably given under the circumstances is expected.
  - c. When the need for leave is known in advance, the employee will be expected to complete the appropriate document for the approval of leave and submit it to the immediate supervisor. When an employee could not have foreseen the need for leave, the employee must notify the supervisor of his/her nonattendance promptly on the first day of absence and must complete the appropriate document for leave within two days of returning to work.
  - d. If a member of faculty is unable to conduct classes due to illness, the Head of Department and/or Dean should be notified at the earliest possible time. All actual time missed from the normal work week due to illness should be reported, even if classes are not scheduled for the affected times.
  - e. If an employee is absent from work for more than 30-calendar days, due to the employee's own health condition, certification from a medical practitioner will be necessary to certify fitness to return to work. Absence of 30 days or less, based on the nature of the health condition in relation to the job assignment, may also require medical certification from a medical practitioner to certify fitness to return to work.
  - f. When a staff member has exhausted his/her sick leave allotment, further absences will be allocated as leave without pay or, with the employee's permission, charged to vacation leave. If the need arises for an extension, due to a prolonged illness, this may only be granted on the certificate of a Medical Practitioner. Applications for extension of sick leave together with medical certification should be forwarded to the Human Resources Department via the immediate supervisor.
  - g. Under the Social Security Ordinance and the Labour Code 2010, an employee should not receive full pay from his/her employer and retain sickness benefit payments claimed from the Social Security Board.
  - h. When sick leave expires the employee is required to return to work. Failure to promptly return to work when sick leave expires, or obtain approval for additional leave, may result in disciplinary action.
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