

## Chapter UWS 19

### SICK LEAVE

UWS 19.01 Definition.

UWS 19.02 Persons who earn sick leave.

UWS 19.03 Cancellation and reinstatement.

UWS 19.05 Recording and use of sick leave.

**UWS 19.01 Definition.** Sick leave refers to absences of faculty, academic staff and limited appointees of the University of Wisconsin System due to personal illness, injury, disability or pregnancy as well as attendance on a member of the immediate family of the employee whose condition or death requires the employee's direct care, if such absences are being charged against the employee's accumulated sick leave credits.

**History:** Cr. Register, February, 1976, No. 242, eff. 3-1-76; 2015 Wis. Act 330 s. 20: am. Register April 2016 No. 724, eff. 5-1-16.

**UWS 19.02 Persons who earn sick leave. (1) ELIGIBILITY.** (a) All faculty, academic staff, and limited appointees as defined in s. UWS 15.01 (2), shall earn sick leave while in pay status, unless the following conditions apply:

1. The employee is not expected to work at least one-third of what is considered full-time employment, or

2. The employee's expected duration of employment is less than one year.

(b) An employee who is not expected to work at least one-third of what is considered full-time employment shall earn sick leave under par. (a) if he or she is subsequently employed within the University of Wisconsin System for at least one year for at least one-third of what is considered full-time employment during the immediately preceding 12-month period.

(c) Any employee who becomes eligible to earn sick leave under par. (a) shall continue to be eligible to earn sick leave, notwithstanding the requirements of par. (a), unless his or her employment within the University of Wisconsin System is terminated for 12 or more consecutive calendar months or unless the employee receives a benefit that would have the effect of closing his or her retirement account under s. 40.25, Stats.

(d) In this subsection, "one-third of what is considered full-time employment" means employment within the University of Wisconsin System with the expectation that there will be at least 440 hours of actual performance of duty during an annual earnings period.

**(2) ACCRUAL OF SICK LEAVE.** (a) As of March 1, 1976, each employee's account shall reflect the accrued balance of unused sick leave earned under the Board of Regents' sick leave policy adopted on June 8, 1973.

(b) Employees whose initial appointments are for 9 months or more shall be credited with 22 working days of sick leave which they may draw upon as required consistent with s. UWS 19.01.

(c) In addition to sick leave credited under par. (b), after 1.5 years of service, each employee shall earn additional nonlapsing sick leave at the rate of 1 day per month for persons holding annual basis appointments and at the rate of 6 days per semester or 4 days per quarter for persons who hold academic year basis appointments, with a maximum annual accumulation limited to not more than 12 days.

(d) Unused sick leave shall accumulate from year to year in the employee's sick leave account pursuant to s. 36.30, Stats.

(e) An employee utilizing paid sick leave shall continue to accumulate sick leave credits during the period of the sick leave absence.

(f) An employee does not accumulate sick leave credits while on an unpaid leave of absence.

(g) Part-time employees have an initial entitlement, earn and are charged sick leave in the same proportion as their appointment bears to a full-time appointment.

**Note:** Consistent with general leave accounting principles within the UW system, the reference to "year" in this section refers to the academic year for academic year-basis appointees, and to the fiscal year for annual basis appointees.

**History:** Cr. Register, February, 1976, No. 242, eff. 3-1-76; am. (1) (intro.), (2) (c) and (f), cr. (1) (a) to (d), Register, May, 1992, No. 437, eff. 6-1-92; correction in (2) (d) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 2001, No. 544; 2015 Wis. Act 330 s. 20: am. (1) (b) to (d), (2) (a) Register April 2016 No. 724, eff. 5-1-16.

**UWS 19.03 Cancellation and reinstatement.** If the employee terminates employment with the University of Wisconsin System other than through retirement or death, unused sick leave shall be terminated but shall be reinstated if the employee is reappointed to any position within the system within 3 years.

**History:** Cr. Register, February, 1976, No. 242, eff. 3-1-76; am. Register, May, 1992, No. 437, eff. 6-1-92; 2015 Wis. Act 330 s. 20: am. Register May 2016 No. 724, eff. 5-1-16.

**UWS 19.05 Recording and use of sick leave.** Each department or equivalent unit shall maintain records of each employee's sick leave entitlement and use.

**History:** Cr. Register, February, 1976, No. 242, eff. 3-1-76.