

1 **5321R PERSONNEL**

2 Conditions for Use of Sick Leave

3 Accrual and Use of Sick Leave Credits

4 Staff covered by a collective bargaining agreement shall accrue and may use their sick leave credits  
5 according to the current collective bargaining agreement.

6 Employees not covered by collective bargaining agreement and serving in positions that are permanent  
7 full-time, seasonal full-time, or permanent part-time are eligible to earn sick leave credits. Sick leave  
8 credits accrue from the first day of employment. Staff must be continuously employed for the qualifying  
9 period of ninety (90) calendar days in order to use sick leave. Sick leave may not be advanced or be taken  
10 retroactively. Unless there is a break in service, an employee only serves the qualifying period once. After  
11 a break in service, an employee must again complete the qualifying period to use sick leave. A seasonal  
12 employee's accrued sick leave credits may be carried over to the next season if management has a  
13 continuing need for the employee or, alternatively, may be paid out as a lump sum for accrued sick leave  
14 credits when the season ends.

15 Employees, whether classified or certified, simultaneously employed in two (2) or more positions, will  
16 accrue sick leave credits in each position according to the number of hours or the proration of the contract  
17 (in the case of certified) worked. Leave credits will be used only from the position in which the credits are  
18 earned and with the approval of the supervisor or appropriate authority for that position. Hours in a pay  
19 status paid at the regular rate will be used to calculate leave accrual. Sick leave credits will not accrue for  
20 those hours exceeding forty (40) hours in a workweek that are paid as overtime hours or are recorded as  
21 compensatory time hours.

22 When an employee who has not worked the qualifying period for use of sick leave takes an approved  
23 continuous leave of absence without pay exceeding fifteen (15) working days, the amount of time on leave  
24 of absence will not count toward completion of the qualifying period. The approved leave of absence  
25 exceeding fifteen (15) working days is not a break in service, and the employee will not lose any accrued  
26 sick leave credits or lose credit for time earned toward the qualifying period. An approved continuous  
27 leave of absence without pay of fifteen (15) working days or less will be counted as time earned toward  
28 the ninety-(90)-day qualifying period.

29 Calculation of Sick Leave Credits

30 Staff covered by a collective bargaining agreement shall earn sick leave credits at the rate stated in the  
31 current collective bargaining agreement.

32 Full-time employees not covered by a collective bargaining agreement shall earn sick leave credits at the  
33 rate of one (1) one day per month equivalent to the employee's scheduled workday. Sick leave credits  
34 shall be prorated for part-time employees who have worked the qualifying period. The payroll office will  
35 refine this data by keeping records per hour worked.

36 Sick Leave Lump Sum Payment Upon Termination for Classified Employees

37 When a classified employee not covered by a collective bargaining agreement terminates from the  
38 District, the employee is entitled to cash compensation for unused sick leave credit equal to one-fourth  
39 (1/4) of the compensation the employee would have received if the employee had used the credits,  
40 provided the employee has worked the qualifying period. The value of unused sick leave is computed  
41 based on the employee's salary rate at the time of termination.

1 Industrial Accident

2 An employee who is injured in an industrial accident may be eligible for Workers' Compensation benefits.  
3 Use of sick leave must be coordinated with receipt of Worker's Compensation benefits on a case-by-case  
4 basis by contacting the Montana Schools Group Workers' Compensation Risk Retention Program  
5 (WCRRP).

6 Sick Leave Substituted for Annual Leave

7 An employee, who qualifies for use of sick leave while taking approved annual vacation leave, or personal  
8 leave may be allowed to substitute accrued sick leave credits for annual leave credits. Medical  
9 certification of the illness or disability may be required.

10 Legal References:

11 § 2-18-601(15), MCA Definitions

12 § 2-18-618, MCA Sick Leave

13 Policy History:

14 Adopted on: July 1, 2000

15 Revised on: August 23, 2010

16 Revised on: June 11, 2018