

## USA Counter to University Proposal #2

### Article 9 – LEAVE & Article 10 – SICK LEAVE BANK

#### ARTICLE 9 LEAVE

##### SECTION 1. SICK LEAVE

##### No changes A-B, D-L, N-P

~~C (2). When the spouse, child, parent, or sibling of either an employee, their spouse, or the bargaining unit member's grandparent or grandchild, or a relative living in the immediate household of an employee, is seriously ill, the employee may utilize sick leave credits up to a maximum of sixty (60) days per calendar year except in cases of demonstrated medical emergency or life threatening/terminal illness, the sixty (60) day maximum may be waived by the CEO or designee.~~

When the spouse, domestic partner, child, parent, sibling, grandchild, or grandparent of either an employee or their spouse or domestic partner, whether biological, adopted, foster, through legal guardianship or in loco parentis, and/or step, or a relative living in the immediate household of an employee is ill, the employee may utilize sick leave credits to care for such person.

Rationale - *allows for uniform use of sick leave bank time for the employee themselves or their family members. Consistent with Article 10 "Application"*

M. Employees, whose service with the Employer is terminated, shall not be entitled to any compensation in lieu of accumulated sick leave credits. Employees who retire shall be paid twenty percent (20%) of the value of their unused accrued sick leave at the time of their retirement. It is understood that any such payment will not change the employee's pension benefit. The estate of a bargaining unit member, who dies after filing for retirement, shall be paid twenty percent (20%) of the value of their unused accrued sick leave at the time of death. ~~Any employee, upon retiring, may donate up to ten (10) days to the sick leave bank.~~

Rationale - *This language (struck through above) conflicts with article 10 "Application" which allows unrestricted donation upon retirement.*

##### SECTION 2-18: NO CHANGE

## ARTICLE 10 SICK LEAVE BANK

**STATEMENT OF PURPOSE** – No change.

**ESTABLISHMENT** - Upon the execution of this Agreement, every new member of the bargaining unit shall be members of the Sick Leave Bank upon the commencement of their employment. Benefits and contributions under this Article shall be pro-rated for part-time employees. ~~New bargaining unit members shall not be able to access the USA Sick Leave Bank until they have completed the probationary period in Article 17A, § 1.~~

**Rationale** - *allowing members to access SLB immediately would put USA on par with colleagues in PSU. Employees start donating on day one so should have access day one.*

**OPEN ENROLLMENT** - Unit members who did not join the SLB prior to execution of this Agreement, may join the SLB during Open Enrollment. Open Enrollment is held during the month of October. During an open enrollment period, a unit member has the right to:

**JOIN:** become a member by assigning one (1) or more full days of their sick leave accumulation to the Bank, provided however, that on the date of making such assignment the employee must have at least three (3) days of sick leave. ~~No one shall be able to access the Sick Leave Bank until ninety (90) days after enrolling.~~

**DONATE:** The University will implement an electronic tracking system feature to allow members to donate more easily instead of using the current pdf form by open enrollment, October 2025.

**Rationale** - *Consistent with language in "Establishment," above.*

**MAINTAIN MEMBERSHIP** - Sick Leave Bank members must donate one (1) full sick day each year which shall be deducted at the rate of 1/26th of a day per pay period for each of the twenty-six (26) pay periods. In October of each year, Mmembers with at least fourteen (14) days of sick leave may voluntarily donate additional time to the Bank in one (1) day increments so long as the member maintains at least ten (10) days of sick leave. A regular part-time employee shall donate sick leave in the same proportion that their part-time service bears to full-time service.

If the SLB balance drops below 1500 hours, each member will be asked to make a voluntary donation. If the SLB balance drops below 1,000 hours each member will contribute one (1) day of sick time, but they may voluntarily contribute additional days. Members who have donated ~~two~~ (2) or more days in the past twelve months shall not be assessed a mandatory contribution. A regular part-time employee shall donate sick leave in the same proportion that their service bears to full-time service. Members with less than 11 sick days are exempted. Members with at least fourteen (14) days of sick leave may voluntarily

donate additional time to the bank in one (1) day increments so long as the member maintains at least ten (10) days of sick leave.

**Rationale** - *Ensuring we don't zero out the sick bank while protecting the sick leave of members.*

**APPLICATION** - The Sick Leave Bank shall be administered by a joint labor-management committee with equal representation between unit members appointed by the Association and the administration. A Sick Leave Bank member may apply to draw from the Bank by submitting a completed Sick Leave Bank Application, signed by a physician/health care provider, stating the nature of the employee's illness or disability and its anticipated duration. If a majority vote by the Sick Leave Bank Committee approves an application, a member may draw upon the Bank after the exhaustion of the member's sick leave and all but ten (10) days of accrued leave other than sick leave [thus allowing the member to retain ten (10) days of total leave from personal, compensatory, and/or vacation time]. The Sick Leave Bank Committee shall determine the period of time the member may draw from the Bank. After an employee has drawn from the Bank for the approved period of time, not to exceed ninety (90) days, their case shall be reviewed by the Sick Leave Bank Committee upon reapplication by the employee. The Sick Leave Bank Committee may, by majority affirmative vote, authorize the employee to continue drawing from the Bank. Any employee drawing on the Sick Leave Bank may at any time be disqualified from continuing to draw on the Bank by majority vote of the Sick Leave Bank Committee.

The University will implement an electronic tracking system feature to allow members to submit the SLB application and related documents electronically by open enrollment, October 2025.

**Rationale** - *An electronic application system will allow our members to more easily submit the application materials as well as allow for improved tracking of SLB usage and related data.*

Any vacation leave or, sick leave, and personal leave, which accrues to an employee during a period in which they are drawing on the Sick Leave Bank, shall be credited to the Bank.

**Rationale** - *ensure members retain their personal time when utilizing the sick leave bank.*

Employees retiring from leaving their job at the University shall be permitted to contribute any remaining days of sick leave to the sick leave bank. Those retiring shall be permitted to contribute at their date of retirement before any payment for unused sick leave is processed.

It is further agreed that bank members may apply for leave required to care for the spouse, domestic partner, child, or grandparent of either an employee or their spouse or domestic partner, whether biological, adopted, foster, through legal guardianship or in loco parentis, and/or step, or a relative living in the immediate household of an employee is ill, the employee may utilize sick leave credits to care for such a person, a child, parent, or sibling of either a bargaining unit member or their spouse; the bargaining unit member's spouse, grandchild or grandparent; or a relative living in the immediate household of a bargaining unit member in the event that close relative is suffering a serious health condition, or for additional leave under Article 9, Section 7. In both cases, ~~the SLB shall allow for an initial grant of up to two (2) weeks.~~ the Sick Leave Bank Committee shall determine the period of time the member may draw from the Bank. After an employee has drawn from the Bank for the approved period of time, not to exceed ninety (90) days, their case shall be reviewed by the Sick Leave Bank Committee upon reapplication by the employee.

**Rationale** - *allows for uniform use of sick leave bank time for the employee themselves or their family members*