

Sick Leave Policy for Medical Faculty Classifications

Responsible Oversight Executive: Executive Vice President for Health Sciences

Date of Current Revision or Creation: July 1, 2024

A. PURPOSE

The purpose of this policy is to provide those faculty who have clinical responsibilities and who do not participate in the Virginia Sickness & Disability Program with paid leave from work for reasons related to their own health or the illness or death of an immediate family member.

B. AUTHORITY

[Code of Virginia Section 23.1-1301](#), as amended, grants authority to the [Board of Visitors](#) to make rules and policies concerning the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

C. DEFINITIONS

Administrative and Professional (AP) Medical Faculty - Employees who have administrative or professional duties directly related to the management or administration of, or patient care services in, a clinical care setting on behalf of EVMS Medical Group.

Administrative and Professional (AP) Medical Restricted Faculty - Employees who have been accepted in the Eastern Virginia Medical School Graduate Medical Education (GME) Program and have the title of Resident, Chief Resident, or Fellow.

Immediate Family - Immediate family of an employee, which includes parents, stepparents, spouse, domestic partner, children, stepchildren, foster children, legal ward, grandparents, siblings, stepsiblings, corresponding in-laws, and any relative, either by blood or marriage, living in the TR Medical Faculty or AP Medical Faculty member's home.

Teaching and Research (TR) Medical Faculty - Employees who hold academic rank and whose work assignments primarily involve instruction, research, or scholarly activity for trainees in a clinical setting and/or the management or administration of, or patient care services in, a clinical setting and who have a faculty appointment in a department of the school of medicine.

D. SCOPE

This policy applies to full-time and part-time AP Medical Faculty and TR Medical Faculty who are enrolled in the Optional Retirement Plan (do not participate in the Virginia Sickness and Disability Program). This policy does not apply to AP Medical Restricted Faculty.

E. POLICY STATEMENT

It is the policy of the university to grant sick leave with pay to administrative and professional medical faculty (AP Medical Faculty) and teaching and research medical faculty (TR Medical Faculty) at Virginia Health Sciences for use as set forth in this policy.

F. PROCEDURES

1. Eligibility and Accrual.

- i. AP Medical Faculty and TR Medical Faculty who elect to enroll in the Optional Retirement Plan are automatically eligible for sick leave under this policy and are not eligible for paid sick leave under any other University policy or plan.
- ii. AP Medical Faculty and TR Medical Faculty will be provided with 240 hours of paid sick leave every June 10.
- iii. Sick leave hours do not roll over each year.
- iv. Sick leave hours are not paid to the employee at separation.

2. Use of Sick Leave.

- i. TR Medical Faculty or AP Medical Faculty may use their sick leave, up to 10 days at a time, for an illness or death of Immediate Family. Leave for this purpose may not exceed 10 days in a contract cycle for TR Medical or the University's fiscal year for AP Medical Faculty.
- ii. TR Medical Faculty or AP Medical Faculty may use sick leave with pay for the period of absence that is certified by a physician as medically necessary because of illness, or health conditions, or recuperation due to pregnancy or childbirth.
- iii. TR Medical Faculty or AP Medical Faculty may use sick leave with pay for the period of absence that is certified by a physician for recuperation due to pregnancy or childbirth. Any period of absence before, during, and after delivery that is certified by the attending physician as medically necessary may be charged to sick leave. Any additional period of absence that the faculty member elects to take must be taken as leave without pay. The provisions of the [Family and Medical Leave Act \(FMLA\)](#) apply to absences due to the birth of a child or the mother's health condition related to childbirth. FMLA specifies the conditions under which the University is required to allow eligible TR Medical Faculty and AP Medical Faculty up to 12 weeks of job-protected leave (paid or unpaid) during a 12-month period for several listed reasons. Please see the Family and Medical Leave section for more specific information. All such leave should be requested in advance or as soon as possible after an eligible need is known.
- iv. Sick leave will continue until the person is able to resume his or her responsibilities but shall not exceed six (6) weeks (240 hours) of sick leave during the time normally covered by the contract for TR Medical Faculty or the University's fiscal year (June 10 through the following June 9) for AP Medical Faculty.
- v. If a leave of absence without pay is granted after sick leave is exhausted, the position may be filled with a temporary appointment for the period of the leave.
- vi. Employees are required to inform their supervisor prior to or at the beginning of their shift each day that they will be out on sick leave and must follow departmental procedures regarding notice and approval when using sick leave. Medical appointments or other foreseeable medical issues shall be pre-scheduled as far in advance as possible and approved by the department supervisor. Use of accrued sick leave is subject to the [Virginia Health Sciences Attendance policy](#).

- vii. Extended absences (five workdays or more) due to illness must be discussed with the Associate Vice President of Human Resources for Health Sciences because of the requirements of the [Family and Medical Leave Act \(FMLA\)](#).

3. Verification.

- i. Sick leave is subject to verification. Supervisors have the discretion to request a doctor's note to verify any absence due to illness.
- ii. For absences of three or more days due to illness, a doctor's note will be required. An employee's use of accrued sick leave may be denied if the employee fails to comply with a request for verification.
- iii. A physician's note may be required prior to an employee returning to work in the following situations: a) five or more consecutive work days of absence due to illness; or b) absence is due to a work-related injury and the employee has been unable to work after the time of the injury.

4. Short-Term/Long-Term Disability.

- i. Paid sick leave under this policy does not provide a short-term or long-term disability benefit. Employees are encouraged to purchase a voluntary disability policy, which is offered through the [Department of Human Resources](#).

G. RESPONSIBLE OFFICER

Associate Vice President of Human Resources for Health Sciences

H. RELATED INFORMATION

[DHRM Policy #4.57 - Virginia Sickness and Disability Program](#)

[DHRM Policy #4.60 - Workers' Compensation](#)

[ODU University Policy #6050 - Family Medical Leave Act](#)

[ODU University Policy #6307 - Sick Leave](#)

[Clinical Attendance Policy](#)