

USM Bylaws, Policies and Procedures of the Board of Regents

- a) Child, adopted child, foster child, or stepchild; a child for whom the employee has legal or physical custody or guardianship; or a child for whom the employee stands *in loco parentis*,
 - b) Legal guardian;
 - c) Grandparent, adopted grandparent, foster grandparent, or step grandparent;
 - d) Grandchild, adopted grandchild, foster grandchild, or step grandchild;
 - e) Sibling, adopted sibling, foster sibling, or step sibling; or
 - f) Spouse; and
2. The employee or
 - a) Parent, adoptive parent, foster parent, stepparent; or
 - b) An individual who acted as the parent, or who stood *in loco parentis*, when the employee or spouse was a minor.

B. The amount of SSL for the reasons set forth in Section III.A.5 below is limited to eight, eight-hour workdays per year (i.e. 64 hours per year).

III. PERMISSIBLE USE OF SICK AND SAFE LEAVE

- A. SSL shall be granted by the President or designee when an employee is absent because of:
 1. Mental or physical illness, injury, or condition of the employee.
 2. A pre-scheduled and approved, or emergency medical appointment, examination, or treatment for the employee with an accredited, licensed or certified medical provider listed in Section V.C of this Policy that cannot be scheduled during non-work hours.
 3. Mental or physical illness, injury, or condition of the employee's family member, and medical appointments, examinations or treatments for the family member with an accredited, licensed or certified medical provider listed in Section V.C of this Policy that cannot be scheduled during non-work hours.
 4. Death of a relative.
 - a) For the death of a close relative, the President or designee shall grant the use

- b) Close relative as used in Section III.A.4 shall mean a spouse, child, stepchild, mother, father (or someone who took the place of a parent), mother-in-law, father-in-law, grandparent of the employee or spouse, grandchild, son-in-law, daughter-in-law, brother, sister, brother-in-law, or sister-in-law.
 - c) The President or designee shall grant the use of up to a maximum of one (1) day of SSL
aunt, uncle, niece, nephew.
5. Subject to the use limits set forth in Section II.F above, domestic violence, sexual assault, or stalking committed against the employee or member, and the SSL is being used:
- a) T :
 - i. Medical or mental health attention that is related to the domestic violence, sexual assault, or stalking;
 - ii. Services from a victim services organization related to the domestic violence, sexual assault, or stalking; or
 - iii. Legal services or proceedings related to or resulting from the domestic violence, sexual assault, or stalking; or
- b) During the time that the employee has temporarily relocated due to the domestic violence, sexual assault, or stalking.
6. Parental Leave, subject to the provisions of the other -7.49).
7. Pregnancy-related disabilities, childbirth, and immediate recovery therefrom.
8. Birth of a child or placement of a child with the employee for adoption within six months following birth or adoption.

IV. DIRECTED USE OF SSL/MEDICAL EXAMINATIONS

- A. The President or designee, in accordance with the Institution Medical Leave, may direct an employee to use accrued SSL if he/she determines that an employee is unable to perform the responsibilities of his/her position due to mental or physical illness, injury, or condition.
- B. While in either active work status or on any type of employee-related SSL, an employee may be required to undergo a medical examination(s) and evaluation(s), and may be required to provide verification of fitness for duty, as directed by the President or designee to ascertain whether the employee is able to regularly and routinely perform the responsibilities of his/her position.

1. If the examination is conducted by a physician selected by the USM Institution, the Institution shall bear the costs of such medical examination. The employee may, however, see his/her own physician at the employee's own cost.
2. If the examination(s) reveal that an employee is unable to regularly and routinely perform the responsibilities of his/her position, action may be taken by the President or designee in accordance with policies on voluntary separation, termination, reasonable accommodation, modified duty or disability retirement, if applicable.
3. In cases where there is a conflict between the evaluation, prognosis, diagnosis or recommendation of the employee's personal health care provider and the physician selected by the USM Institution, the President or designee may choose which health care provider's report to follow; or may require subsequent medical examinations and evaluations in deciding what steps should be taken regarding the employee's sick leave status or continued employment. If subsequent medical examinations and evaluations are required, the expense of such shall be borne by the USM Institution. The decision of the President or designee is final.

V. VERIFICATION OF ABSENCES CHARGED TO SSL

- A. In order to assure medical attention for an employee or to prevent the abuse of SSL, the President or designee may require an employee to submit verification of the need to use accrued SSL, advanced or extended sick leave, including to authenticate the need for the employee to care for an ill family member.
- B. Verification may include, but may not be limited to:
 1. A written statement from the medical provider (as listed in Section V.C of this Policy) indicating that the employee is required to be absent from work due to mental or physical illness, injury, or condition;
 2. The duration of absence from work;
 3. Prognosis of employee's ability to return to work;
 4. Title and original signature of an accredited, licensed or certified medical provider;
 5. Documentation of the birth or placement of a child with the employee for adoption or foster care; and
 6. _____ SSL is in accordance with this Policy and other applicable USM policies.
- C. Medical verification as outlined in this Policy may be obtained by an accredited Christian Sciences practitioner, or by the appropriate of any of the following licensed or certified medical providers:

1. Physician;
2. Physical Therapist;
3. Clinical Psychologist;
4. Dentist;
5. Oral Surgeon;
6. Chiropractor;
7. Podiatrist;
8. Certified Nurse Practitioner;
9. Certified Nurse-Midwife;
10. Licensed Clinical Social Worker;
11. Licensed Clinical Professional Counselor;
12. Optometrist;
13. Physician Assistant; or
- 14.

benefits manager will accept certification of the existence of a Serious Health Condition to substantiate a claim for benefits pursuant to the provisions of USM *Policy and Medical Leave for Nonexempt and Exempt Staff* (7.50).

VI. ADVANCED SICK LEAVE

- A. An employee who sustains a temporary, recoverable mental or physical illness, injury, or condition, or serious disability may request advance use of sick leave subject to the following conditions:

The employee shall:

1. Have exhausted all other types of accrued leave; and
2. Have a satisfactory record of work performance and no record of sick leave or SSL abuse.

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2. If there is a conflict between the employee's physician and the USM Institution-named physician, the provisions of Section IV.B.3 shall apply.

IMPLEMENTATION PROCEDURES:

Each President