

**VII-7.46 POLICY ON SICK AND SAFE LEAVE FOR CERTAIN ELIGIBLE  
CONTINGENT CATEGORY I AND OTHER PART-TIME, HOURLY, OR  
NON-REGULAR STAFF AND STUDENT EMPLOYEES**

(Approved by the Board of Regents on June 21, 2019.)

**I. PURPOSE**

This policy establishes and governs Sick and Safe Leave (“SSL”) for certain eligible Contingent Category I and other part-time, hourly, or non-regular staff and student employees of the University System of Maryland, pursuant to the Maryland Healthy Working Families Act. Employees covered by this Policy are

## USM Bylaws, Policies and Procedures of the Board of Regents

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- iv. During the time the employee has temporarily relocated due to the domestic violence, sexual assault or stalking.
- B. "Family Member" is defined as:
- 1. The employee's:
    - a) Child, adopted child, foster child, or stepchild;

2. SSL shall be accrued in bi-weekly increments. Alternatively, at the institution's discretion, the employee's SSL entitlement may be "front-loaded," i.e., provided at the beginning of an employee's appointment.
  - a) If SSL is accrued in bi-weekly increments, up to 40 hours of accrued but unused SSL may be carried forward into a new calendar year, unless the employee's appointment is funded by a grant or contract that is limited to 1 year and is not subject to renewal.
  - b) If the SSL entitlement is front-loaded, carry forward of unused SSL balance into a new year shall not be permitted.
3. An employee shall not use more than 64 hours SSL in any calendar year, for any reason. An employee's SSL balance shall not exceed 64 hours at any point in time.
4. SSL shall not be used by an employee in the first 106 days of an appointment.
5. An employee shall not earn SSL during a 2-week pay period in which the employee worked fewer than 24 hours.
6. When an employee separates from USM employment, SSL that is accrued but unused shall be forfeited.
  - a) The institution shall keep a record of the employee's accrued but unused SSL balance on the effective date of separation.
  - b) If the employee is re-hired in the USM within 37 weeks into an SSL-eligible position, any accrued but unused SSL that was available immediately prior to separation shall be restored and added to the employee's SSL leave bank. Any such leave may only be used in accordance with USM policy.

**C. Notice Requirements**

1. An employee is required to provide seven days' notice of a planned SSL absence to their supervisor when the circumstances are foreseeable, i.e., a scheduled medical appointment.
2. In the event an SSL absence is not foreseeable, the employee shall notify the supervisor as soon as practicable.
3. A supervisor may deny an employee's SSL request if:

- a) the employee failed to provide the required notice and the employee's absence will cause disruption;
- b) the stated purpose for requesting SSL is not listed in section II.A..

**D. Absence Verification**

An employee may be required to provide written documentation that the SSL was used for purposes provided in Section II.A if:

- 1. The employee uses SSL for more than two consecutive shifts or for more than two consecutive work days; or
- 2. The employee uses SSL during the first 120 calendar days of employment.

**E. Miscellaneous**

- 1. An employee eligible under this Policy shall receive a written appointment letter, contract, or employment agreement that defines key terms and conditions. This shall include how SSL is earned, proper usage, limits, how the employee may check the balance, notice requirements for planned absences, and a statement that the employee must provide written verification that the SSL was used for purposes provided in Section II.A. if used during the first 120 days of employment.
- 2. Improper use of SSL is prohibited. An institution shall not apply absence control measures when an employee uses SSL in accordance with this Policy, if doing so could lead to an adverse action being taken against the employee.
- 3. Employees eligible for SSL under this Policy do not have grievance rights under any USM or Institutional policy or collective bargaining agreement. If an employee disputes the manner in which this Policy has been administered to a particular circumstance of theirs, the employee may request in writing a review by the Institution's Human Resources Office within 30 days of the incident that gave rise to the employee's concern. A written response shall be provided to the employee within a reasonable time period.

**IMPLEMENTATION PROCEDURES**

Each President shall identify their designee(s) as appropriate to implement and administer this Policy, develop procedures as necessary, and communicate this Policy to affected employees, and on the institution's Policy website.