The following interim policy provisions have been adopted to comply with the Families First Coronavirus Response Act (FFCRA).

Indiana University employees (including all academic appointees, staff, and temporary employees) are eligible for Emergency Paid Sick Leave (EPSL). Additional eligibility requirements apply to Student Academic Appointees and Adjunct instructors. EPSL is available from July 1 to December 31, 2020.

Indiana University employees (including all academic appointees, staff, and temporary employees) may be eligible for Emergency Family Medical Leave (EFMLA) if they have been employed for at least 30 days prior to their leave request. EFMLA is available through December 31, 2020.

Information regarding the implementation of EPSL and EFMLA, including how to apply, can be found at https://hr.iu.edu/relations/coronavirus/faq-i.html.

In addition, interim policy provisions have been adopted to encompass the Keep IU Healthy (KIH) sick leave that Indiana University is providing for coronavirus-related illnesses. See https://hr.iu.edu/relations/coronavirus/faq-i.html for information related to eligibility and qualifying reasons for leave. This amendment will remain in effect during only for the period of the pandemic and will become inapplicable upon the rescission of KIH.

All other provisions of this policy remain in full force and effect.

The update is significant, but the policy's substance has not changed.

**Income Protection Time (Sick Time)**

**HR-05-40**

### About This Policy

**Effective Dates:**
10-25-1968

**Last Updated:**
08-17-2020

**Responsible University Administrator:**
Vice President for Human Resources

**Policy Contact:**
IU Human Resources
askHR@iu.edu

### Scope

This policy applies to all Support and Service Staff employees.

### Policy Statement

1. Income protection time is provided to prevent loss of pay during personal and family illness, injury, medical/dental appointments, personal emergencies that are not health-related (such as adverse weather or adverse working conditions), and other special non-emergency situations that cannot be handled during the regular hours away from the job.

2. 100% of FTE appointed employees earn 3.7 hours per eligible 80-hour period. The maximum earning in a calendar year is 96.2 hours.
a. Employees do not earn income protection time hours during a leave of absence, absence without pay, or a layoff of 30 or more and no more than 90 days or a permanent reduction in force.

3. Appointed employees who are less than 100% but 75% FTE or greater earn a prorated amount of income protection time, based on their specific FTE.

4. Appointed employees who are less than 75% FTE do not earn income protection time.

5. An employee using income protection earnings must report the exact number of hours, including tenths of hours, which will be subtracted from accumulated earnings.

6. Income protection time cannot be used before it has been earned.

7. Earnings are accumulative from year to year.

8. Units may require confirmation of illness or injury through a licensed physician’s statement before approving the use of income protection time.

9. Regular attendance is a condition of employment (see the Attendance, Absence, and Personal Emergency policy).

Procedure

1. Use of income protection time for personal illness, injury, and medical/dental appointments.
   a. Employees may use accumulated income protection time after receipt of their first paycheck.
   b. Medical disabilities resulting from pregnancy will be treated as any other temporary medical disability.

2. Use of income protection time for family care.
   a. Employees may use accumulated income protection time to provide care for illness, injury, or medical/dental appointments for immediate family or household members.
   b. Members of the immediate family or household are spouses, unmarried children at home or other relatives living with the employee.
   c. Income protection time may also be used for parents, children, grandparents, grandchildren, brothers, sisters, and relatives of the spouse of the same degree who are dependent on the employee for emergency care.

3. In addition to illness, injury, and medical/dental appointments, income protection time may be used to cover the following:
   a. Personal emergencies that are not health-related. These events will typically be unforeseen, require immediate action, and are beyond the employee’s control. The employee must notify the supervisor as soon as possible about the reason and expected time of return. The employee may be required to provide documentation on the nature and circumstances of the absence.
   b. Special situations that cannot be handled during the regular hours away from the job. Examples are religious holidays not provided for in the university’s holiday policy, funeral arrangements, marriage arrangements, legal matters, real estate transactions, university class attendance, etc. Any questions about the application of this provision should be directed to a campus human resources office.

   1. The unit must approve requests in advance.

   2. Unit heads are authorized to deny these requests when there is evidence that:
      a. The absence will cause undue hardship upon the unit when compared to the employee's needs, or;
      b. The request is inconsistent with the provisions of this section of the policy.

   3. Unit heads will not deny special situation requests based on undue hardship if requested at least 48 hours in advance, except based on excessive numbers of requests for the same day.

   4. Denials must be made within two hours following the request or 48 hours before the requested absence, whichever comes later.

   5. Employees may be asked to explain the request so that supervisors can make a decision consistent with the policy.
c. Injury or illness in conjunction with workers’ compensation.
d. Selective service physical—a maximum of eight hours when orders require a physical exam.

4. Confirmation of illness or injury

a. Except for Family Medical Leave Act (FMLA) covered absences, supervisors may require confirmation of illness, injury, medical/dental appointment, or the need for family care through a licensed physician’s statement before approving the use of income protection time whenever any of the following apply:
   1. The employee has been absent three or more consecutive workdays.
   2. The employee has a pattern of absenteeism.
   3. There has been corrective action for absenteeism during the prior twelve months.
   4. A supervisor reasonably believes the request is dishonest, and the absence is for a reason not allowed in the policy.
   5. The employee has not followed campus or unit attendance guidelines.

b. Absences approved by the university as a reasonable accommodation under the Americans with Disabilities Act, taken under the provision of the FMLA, or absences of three or more consecutive days cannot be considered by the supervisor when determining a pattern of absenteeism.

c. The university reserves the right to require a physician’s statement or other medical documentation to support a long-term absence, including FMLA, return to work fitness, ability to perform assigned tasks, determining eligibility for other benefits, or complying with any state or federal requirement. Please contact a campus HR office about these matters.

5. Employees do not receive payment for unused accruals except as provided below for separations with IU retiree status or at the time of death.

   a. Support and service staff employees that separate from the university with IU retiree status, regardless of the reason for the separation, or who die while employed at IU, irrespective of age or years of service, are entitled to receive payment for their unused income protection accruals as follows:
      1. 25% of pay for 152.0 through 312.0 hours
      2. 50% of pay for hours more than 312 hours.
      3. Accrued hours below 152 receive no pay.

   b. Refer to retiree status and benefits for information about qualifying for IU retiree status.

6. Effect of classification changes

   a. An academic appointee who transfers to a support or service staff position will receive four hours of income protection time for each month of the academic appointment at the time of transfer.

   b. A professional staff employee who transfers to a support or service staff position will have any PTO sick leave balance transferred to income protection time.

   c. A support or service staff employee who transfers to a professional staff position will have any income protection time balance transferred to PTO sick leave.

7. For converting income protection time to vacation, see the Vacation policy.

Sanctions

Managers, supervisors, and employees who violate this policy are subject to corrective action, up to and including separation.

History

December 2020
IU HR completed a full and substantive review to assess the ongoing need and effectiveness.

August 2020
Interim provisions to this policy were put into effect to comply with the Families First Coronavirus Response Act (FFCRA).

**May 2018**
Removed same-sex domestic partner language.

**April 2018**
Updated wording to clarify how full time equivalent (FTE) impacts income protection time accruals.

**September 2017**
Removes Affidavit of Domestic Partnership.

**February 2016**
Replaces the following policies:

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<td>AFSCME Police</td>
<td>5.5 - Income Protection Time (Sick Time)</td>
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<td>AFSCME Service</td>
<td>12.6 - Income Protection Time (Sick Time and Other Uses)</td>
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<td>CWA</td>
<td>10.3 - Income Protection (Sick Time) for Support and Service Staff</td>
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<tr>
<td>Professional Staff and Support and Service Staff not Covered by a Union</td>
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**Related Information**

- Family Medical Leave Act (FMLA)
- Vacation Time
- Separation Pay for Unused Time Off Accruals