



Department: Human Resources
Policy Number: HUM-A029
Effective Date: 4/26/05

ADMINISTRATIVE POLICY

The online version of this policy is official.
Therefore, all printed versions of this
document are unofficial copies.

SICK LEAVE

Sick leave is defined as any absence due to the illness of an employee from natural causes, accident or quarantine. Sick leave can also be used for the illness or death of a member of the immediate family of an employee. Immediate family members include: the employee's wife or husband, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law. Upon written request of the employee, any employee who goes on maternity leave is allowed to use all or a portion of her accumulated sick leave for maternity leave purposes "during the period of her physical disability only, as determined by a physician". Any employee on maternity leave will use any accumulated sick leave during the period of her physical disability. This is usually defined as six weeks but may be extended if a longer period of disability is certified by a physician. In accordance with Tennessee Code Annotated, an employee may use thirty (30) days of accumulated sick leave for adoption of a child. If both adoptive parents are employed with CMCSS, only one (1) parent is entitled to use paid sick leave. Written verification from an adoption agency, or other entity handling the adoption, will be required.

Days Earned for Sick Leave

Sick leave is earned at a rate of one (1) day's regular pay for each month an employee is employed.

Temporary employees or employees who work less than fifteen (15) hours per week do not earn sick leave.

Accumulated Sick Leave

Sick leave is cumulative for all earned days not used.

Sick leave does not accrue while an employee is on FMLA or other leave of absence without pay. Sick leave accrual resumes the first full pay period following return to active employment following such leave.

Unlimited Accumulation of Sick Leave

An employee in need of sick leave is allowed to use unearned sick leave up to the amount of days which such employee may accumulate during the remainder of the school year in which he is employed. Such advance use of sick leave is charged to sick leave accumulated in the same school year. Upon termination of the employment of such employee before such days are earned or at the end of the school year, there will be deducted from the final salary of such employee an amount based on his daily rate of pay sufficient to cover the excess sick leave days used by him and if such final salary is insufficient for this purpose, the employee is liable for reimbursement of any amount in excess of his final salary.

Accumulated Sick Leave at Termination

At the termination of the employment of any employee, all unused sick leave accumulated by said employee remains on record with employer. Employees do not receive payment for sick leave.



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Employees who are rehired by the school system may be granted restitution of any sick leave that was terminated at the termination of employment, provided official records reflect such leave was terminated.

Accumulated Sick Leave at Retirement

At the time of retirement with TCRS, all accumulated sick leave will be applied to the employee's time in service credit with TCRS.

Acceptance of Sick Leave for Teachers

In accordance with TCA 49-5-710(5), CMCSS shall accept sick leave accumulated at a prior public school system in Tennessee unless the teacher was terminated for cause. Completion of [CER-F016](#) is required by the former Tennessee school system.

Acceptance of Sick Leave for Classified Employees

CMCSS will accept up to 200 hours of sick leave hours when transferring from a public school system in Tennessee or local entity of Montgomery County that participates in TCRS. Unless the employee was terminated for cause. Completion of [CLS-F063](#) is required by former employer.

Transfer of Sick Leave Due to Termination

At the termination of the employment of any employee, all unused sick leave accumulated by the said employee is recorded by CMCSS. However, the Director will grant to any employee upon employment or re-employment the accumulated sick leave which the employee lost by previous termination of employment in a public school system of this state; except that if an employee is terminated for cause as defined in Tennessee Code Annotated, he will not be granted, upon his further employment, the sick leave days lost; and except that a teacher who breaks a contract with the Board without a justifiable reason and without giving at least thirty (30) days advance notice shall be granted his accumulated, unused leave only if the Director permits the employee to resign in good standing under the terms of Tennessee Code Annotated. Upon written request by the employee, accumulated sick leave is transferred to another school system for the individual employee. This also applies to state and county positions.

Employee's Sick Leave Records

Sick leave records are maintained in the payroll office. This record is provided to each employee each pay period.

Physician's Certificate

The immediate supervisor may require a physician's certificate for any sick leave absence. Frequent use and misuse of sick leave by an individual are sufficient grounds for requiring a physician's certificate stating the reason for absence.

Illness

Employees granted leave because of illness are subject to the general procedures outlined in the Leave of Absence policy.

Associated Documents: TCA 49-5-710
TRR MS 0520-01-02-.04(2)
[HUM-A016](#) FMLA Policy
[HUM-A061](#) Bereavement Policy
[CER-F016](#) Acceptance of Sick Leave
[CLS-F063](#) Acceptance of Sick Leave



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Revision History:

Note: Policy is part of the Memorandum of Understanding and may not be revised without collaborative conferencing pursuant to TCA 49-5-608.

Date:	Rev.	Description of Revision:
4/26/05		Initial Release
7/13/09	A	First paragraph clarified and addition to accumulated sick leave paragraph to note "absence without pay."
7/24/13	B	Add Note statement to Revision History
7/1/16	C	Added adoption regulations. Updated associated documents.
7/1/17	D	Changed "terminated" to "remains on file".
8/18/20	F	Added paras. 3 and 4 on pg. 2.

***** End of Policy *****