10.3.1 SICK TIME FOR STUDENT HOURLY EMPLOYEES

Last updated on: 07/01/2015

This Guide Memo summarizes paid sick time accrual and usage policies for Stanford student hourly employees.

Authority:
This Guide Memo was approved by the Vice President for Human Resources.

Applicability:
Applies to all Stanford undergraduate student employees as defined in Administrative Guide Memo 10.1.1: Undergraduate Student Employment on Campus and Stanford graduate student hourly employees as defined in Administrative Guide Memo 10.2.2: Graduate Student Hourly Employment. This policy is effective starting on July 1, 2015.

1. Sick Time Benefits

Sick time provides a mechanism to pay student hourly employees when they are unable to perform their scheduled work responsibilities due to illness or for other related reasons as detailed below. All Stanford “student hourly employees” (as defined in section 2. Definitions, below) receive sick time benefits. Arrangements for any variations in work hours, including time off for illness or related uses of sick time, should be made individually with the student hourly employee’s supervisor. To the extent possible, student hourly employees are encouraged to make arrangements outside of their working hours and supervisors are encouraged to offer flexibility in work hours.

2. Definitions

All Stanford undergraduate and graduate students who are hired on an hourly basis are referred to as “student hourly employees” in this policy. This Administrative Guide Memo applies to Stanford students hired on an hourly basis as defined in Administrative Guide Memo 10.1.1: Undergraduate Student Employment on Campus and Administrative Guide Memo 10.2.2: Graduate Student Hourly Employment. Graduate students hired in an assistantship appointment (see Administrative Guide Memo 10.2.1: Graduate Student Assistantships) and Postdoctoral Fellows and Postdoctoral Research Affiliates (see Administrative Guide Memo 2.2.1: Definitions) are not student hourly employees.
3. Accrual and Recording of Sick Time

a. Accrual of Sick Time

Student hourly employees accrue sick time as follows:

- Student hourly employees accrue sick time at the rate of .03334 hours per hour worked. This equates to one (1) hour of sick time for every 30 hours worked.
- Unused sick time accumulates from year-to-year, with a maximum limit of 48 hours or six (6) days.
- Student hourly employees accrue sick time for all hourly jobs worked at Stanford, regardless of the department of employment. When a student hourly employee leaves one position and accepts another position within the University, the student hourly employee’s sick time balance is maintained as long as the new position starts within 12 months of the date of termination from the first position. If the new position is not a student hourly employee position, the student hourly employee is subject to any sick time policies applicable to the new position, including, without limitation, any policies regarding sick time use and limits on sick time accruals.

b. Recording Sick Time Accrual

A student hourly employee’s accrued sick time is recorded in Axess with the sick time balance reported on the student hourly employee’s pay statement.

4. Use of Sick Time

Sick time is paid only when used to replace scheduled work hours during the course of employment. Otherwise, sick time balances are not paid out.

Arrangements for any variations in work hours, including time off for illness or related uses of sick time, should be made individually with the student hourly employee’s supervisor. To the extent possible, student hourly employees are encouraged to schedule appointments at a time outside of working hours. Where flexible schedules are possible, supervisors are encouraged to accommodate appointments by flexing a student hourly employee’s work hours.

Student hourly employees are entitled to use accrued sick time beginning on the 90th calendar day after the start of employment. Sick time must be accrued before it can be used. The use of sick time is limited to 24 hours or three scheduled work days, whichever is greater, each year of employment. Sick time may only be used for an absence that a student hourly employee has during scheduled work hours.

Sick time is not paid out when a student hourly employee ends employment for any reason, including, without limitation, no longer being employed in a student hourly employee position, leaving the University for any reason, taking a leave of absence, or being in non-enrollment status.

Sick time may be used for the following reasons:

a. Absence Due to Illness or Injury
Sick time may be used when a student hourly employee’s illness or injury prevents the student hourly employee from working.

b. Medical and Dental Appointments

Sick time may be used for all medical and dental appointments, including:

- Diagnosis, care, or treatment of an existing health condition
- Preventive care
- Those appointments associated with a work injury (e.g., physical therapy)

c. Domestic Violence, Sexual Assault, or Stalking

Sick time may be used by a student hourly employee who is a victim of domestic violence, sexual assault, or stalking in order to:

- Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child
- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking
- Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking
- Obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking
- Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation

d. Family Sick Time

Student hourly employees may use sick time for diagnosis, care, or treatment of an existing health condition of, or preventive care for, a student hourly employee’s family member. For the purpose of this policy, a family member includes the student hourly employee’s:

- Spouse or registered domestic partner
- Children of the student hourly employee or spouse or registered domestic partner (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the student hourly employee stands in loco parentis, regardless of the child’s age or dependency status)
- Parents and parents-in-law (including a biological, adoptive, or foster parent, stepparent, or legal guardian of a student hourly employee or the student hourly employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the student hourly employee was a minor)
- Brothers and sisters
- Grandparents or grandchildren
- Other family member dependent on the student hourly employee and living in the student hourly employee's household

5. Administration

a. Notification of Absence

The student hourly employee reports an absence (or planned absence) to the supervisor. The department is
responsible for establishing and communicating rules on how student hourly employees notify the department of absences. If the need for sick time use is foreseeable, the student hourly employee should provide reasonable advance notice. If the need for sick time use is unforeseeable, the student hourly employee should provide notice of the need for sick time use as soon as practicable. If a student hourly employee requests to use accrued sick time and the student hourly employee’s use of sick time is within applicable limits per year of employment, the request should not be denied because details are not provided about the sick time use.

To the extent possible, student hourly employees are encouraged to schedule appointments at a time outside of working hours. Where flexible schedules are possible, supervisors are encouraged to accommodate appointments by flexing a student hourly employee’s work hours.

b. Medical Confirmation

(1) Medical confirmation related to use of sick time

Acceptable medical evidence may be required for the use of sick time. However, for a student hourly employee’s use of the first 24 hours of sick time (or three scheduled work days, whichever is greater) during each year of employment, excepting circumstances involving abuse or misuse of sick time as stated in subpart (2) below, supervisors may not require acceptable medical evidence, and supervisors should not deny sick time use based on a student hourly employee’s failure to provide details about the sick time use. The supervisor who approves the use of sick time is responsible for confirming that the conditions for use of sick time are met.

(2) Medical confirmation related to possible abuse or misuse of sick time

If the University has reasonable basis to believe that a student hourly employee may have engaged in abuse or misuse of sick time at any time (even during the first 24 hours or three scheduled workdays of sick time use during each year of employment), the University may ask for acceptable medical evidence or other proof showing that a student hourly employee has not engaged in abuse or misuse of sick time. Abuse or misuse of sick time, failure to follow sick time notification procedures (i.e., failing to provide reasonable advance notice for foreseeable sick time use, not providing requested medical information when abuse or misuse is suspected, or not giving notice as soon as practicable for unforeseeable sick time use) may be a basis for discipline, up to and including termination of employment. Also, use of sick time may be denied if there is abuse or misuse of sick time.

(3) Acceptable medical evidence

Acceptable medical evidence includes, but is not limited to, a healthcare practitioner’s statement that certifies a medical need for sick time, the expected duration of absence and anticipated return to work date, and any work-related limitations or restrictions (including the duration of those limitations or restrictions) when the student hourly employee is released to return to work.

c. Reporting Sick Time Use
Student hourly employees record hours of sick time used in the Axess Timecard each pay period. Student hourly employees may only be paid for the number of sick time hours that they have accrued and which is available to them. The use of sick time is limited to 24 hours or three scheduled work days each year of employment, whichever is greater. Up to 24 hours of sick time use may be recorded in Axess; if a student hourly employee has three scheduled work days of sick time use that exceeds 24 hours, the student hourly employee should request assistance from the local Human Resources office. Student hourly employees are not paid for time spent away from work in excess of the sick time limit per year of employment, and such time is not recorded in Axess. For information about Axess see this Time & Leave System overview.

d. Sick Time Credit Date

Sick time must be accrued before it can be used. Sick time is credited at the beginning of each month of service, calculated based upon work hours recorded during the previous month. If a student hourly employee needs to use sick time that has been accrued but not yet credited in Axess, the student hourly employee should speak to the local Human Resources office for assistance.

e. Tax Status

Income that the student hourly employee receives for sick time is taxable. Applicable taxes are deducted.

f. Multiple Forms of Employment

Student hourly employees who are employed by Stanford in other ways are affected as follows:

- Assistantships: Graduate students who have assistantship appointments, either concurrently or at different times of the year, will see a separate accounting of sick time accrued for the assistantship appointment. (For more information, see Administrative Guide Memo 10.2.1: Graduate Student Assistantships)
- Temporary or casual employment: Students who are hired as temporary or casual employees in the same 12 month period in which they were student hourly employees will have previously accrued sick time, up to the applicable limits, available for use. Temporary or casual employment for students typically occurs in summer, following graduation, or when a student is on a leave of absence
- Scholarship, fellowship, and stipend support: Students who receive stipend support for a scholarship, fellowship, or other reasons, are not Stanford employees and do not receive a sick time benefit

g. Sources of Funds for Sick Time

As sick time is used to replace scheduled work time, it should be recorded in Axess on the timecard associated with the job for which the work time was scheduled. Sick time used is charged to the department that owns this job record. Departments employing a student on Federal Work Study must provide their own unrestricted funding to pay for sick time when used. This unrestricted PTA should be recorded on the timecard as sick time is used.

h. Applicable Laws

The intent of this Administrative Guide Memo 10.3.1 is to meet or exceed requirements of all applicable laws, including, without limitation, the California Paid Sick Leave Law enacted by Assembly Bill 1522.