Allegany College of Maryland

SICK AND SAFE LEAVE

Revised Date 06-16-2025
Approved by Board of Trustees 06-16-2025
Implementation Date07-01-2025
Type of Policy: Benefits

The College provides paid earned Sick and Safe leave to eligible employees in accordance with the terms of this policy and The Maryland Healthy Working Families Act.

I. ELIGIBLE EMPLOYEES

This policy covers full- and part-time Administrators, Faculty, Staff and other employees who are employed by the College and regularly work more than 12 hours per week, or work 26 hours or more in a semi-monthly pay period. This includes; hourly part-time, credit adjunct faculty, non-credit continuing education instructors, student workers, temporary employees, and seasonal employees if they meet the hourly requirements.
This policy does not apply to an employee who regularly work less than 12 hours per week or less than 26 hours per week in a semi-monthly pay period, is not guaranteed to be called upon to work by the College, such as an independent contractor, or who is employed by a temporary or outside staffing agency.

Employees whose pay is not reduced for an absence due to sick or safe leave, such as coaches, will not accrue additional sick or safe leave.

II. DEFINITIONS

"Full-time": An employee who is appointed to a position which is formally defined as an authorized full-time position in the personnel budget and is scheduled to work at least 30 hours a week for more than three consecutive months.
"Part-time": An employee who is not appointed to a full-time position in the personnel budget and works less than 30 hours per week on a regular basis.
"Family member" means:

- A biological child, adopted, foster, or step child of the employee; or a child for whom the employee has legal or physical custody or guardianship; or a child for whom the employee stands in loco parentis, regardless of the child's age;
- A biological parent, adopted, foster, or step parent of the employee or the employee's spouse;
- The legal guardian of the employee;
- An individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor;
- A biological grandchild, adopted, foster, or step grandchild of the employee;
- A biological grandparent, adopted, foster, or step grandparent of the employee;
- The spouse of the employee; or,
- A biological sibling, an adopted sibling, a foster sibling or a step sibling of the employee.

III. USE OF SICK AND SAFE LEAVE

Sick and Safe leave may be used as soon as it is accrued, up to the amount earned.
Earned sick or safe leave may be used for any of the following circumstances:

- To care for or treat the employee's or family member's mental or physical injury, illness, or condition;
- To obtain preventive medical care of the employee or the employee's family member;
- For maternity or paternity leave;

- If the absence of work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member; and the leave is being used by the employee to obtain for the employee or the employee's family member medical or mental health attention that is related to the domestic violence, sexual assault, or stalking; services from a victim services organization related to the domestic violence, sexual assault, or stalking; or legal services or proceedings related to or resulting from the domestic violence, sexual assault, or stalking.

IV. EARNING LEAVE

Accrual of leave begins on the first day of employment.

A. *Full-time Covered Employees' Sick and Safe Leave Accrual*

All full-time administrators, faculty and staff earn sick and safe leave at the rate of up to six (6) hours per pay period, up to 144 hours per fiscal year. The amount of accrual during each fiscal year equates to the following based on full-time contract length:

Contract Length	Sick and Safe Leave days accrued per Fiscal Year	Sick and Safe Leave hours accrued per Fiscal Year
12	18	126
11	16.5	115.50
10*	15	105
9	13.5	94.5

**10-month faculty who opt for extended pay: accrual rate will vary; the accrual rate will be based on total annual accrual above divided by number of pays received.*

Unused, earned sick and safe leave will carryover from year to year. Upon retirement, members of the Maryland State Retirement and Pension system (MSRPS) will receive additional creditable service for accumulated unused sick and safe leave as determined by MSRPS, which can increase the amount of the monthly pension allowance at retirement. For more information on sick leave with MSRPS, please visit https://sra.maryland.gov/.

B. *Part-time Eligible Employees' Sick and Safe Leave Accrual*

Eligible part-time staff and faculty who regularly work more than 12 hours per week, or 26 or more hours in a semi-monthly pay period, shall accrue one hour of sick and safe leave for every 30 hours worked. An employee can earn up to 40 hours per fiscal year, July 1 through June 30, and carryover a balance of 40 hours per year. The maximum amount earned and accrued shall never exceed 64 hours per fiscal year.

C. *Credit Adjuncts and Clinical Instructors*

All credit adjuncts and clinical instructors will be eligible for paid sick and safe leave. Work hours will be calculated by credit hour and/or classroom hour of instruction, clock hours for labs, clinical work, studio hours and other related instruction. For adjuncts and clinical instructors paid on an hourly basis, as opposed to a credit hour rate, paid sick and safe leave is accrued one hour for every 30 hours worked.

Credit adjuncts will earn sick leave by semester according to the following chart of credit hours taught:

Credit	Instruction Hour per week	Hours per semester	Hours Accrued Per a 15 week Semester
1	1.000	15	0.500
2	2.000	30	1.000

3	3.000	45	1.500
4	4.000	60	2.000
5	5.000	75	2.500
6	6.000	90	3.000
7	7.000	105	3.500
8	8.000	120	4.000
9	9.000	135	4.500
10	10.000	150	5.000
11	11.000	165	5.500

Course cancellations will follow the same reduction as the accrual noted above.

D. ***Continuing Education Instructors***

Eligible Continuing Education Instructors who regularly work more than 12 hours per week, or 26 or more hours in a semi-monthly pay period, shall accrue one hour of sick and safe leave for every 30 hours worked. An employee can earn up to 40 hours per fiscal year, July 1 through June 30, and carryover a balance of 40 hours per year. The maximum amount earned and accrued shall never exceed 64 hours per fiscal year.

By mutual consent, continuing education instructors and their supervisor may alter their work schedule in the current pay period or the following pay period to make up missed hours without using accumulated sick and safe leave.

V. PROCEDURES FOR USING SICK AND SAFE LEAVE

A. A covered employee is required to provide his or her supervisor with advance notice of the need to use Sick and Safe leave for foreseeable reasons at least 7 days, or as early as possible, in advance of using such leave. If the need for Sick and Safe leave is unforeseeable, the covered employee is required to provide his or her supervisor with an oral request for leave as soon as possible, preferably prior to the start of the work shift for which the leave is requested. In the case of an emergency, the covered employee is to notify his or her supervisor of the request as soon as practicable, preferably prior to the start of the next work shift or within 24 hours of the onset of the emergency, whichever occurs sooner. Should a covered employee have any questions regarding these notification procedures, please contact his or her supervisor or the Human Resource Office. An employee shall make a reasonable effort to schedule Sick and Safe leave in a manner that does not unduly disrupt the operations of the department.

B. When providing the notice described above, the covered employee may be asked to provide the reason for the absence and the expected duration of the Sick and Safe leave, as appropriate. The covered employee will not be required to disclose the details of his or her family member's injury, illness, or condition that necessitated the use of leave, except as required by law.

C. A covered employee is required to provide reasonable certification to HR upon the employee's return to work or within one business day thereafter concerning the employee's use of Sick and Safe leave, if the employee used more than 3 consecutive workdays for such leave. Reasonable certification may include: (a) a signed document from a health care provider, as defined by applicable law, affirming the illness of the covered employee or the employee's family member; (b) a police report indicating that the covered employee or the employee's family member was a victim of stalking, domestic violence, or sexual abuse; (c) a court order indicating that the covered employee or the employee's family member was the victim of stalking, domestic violence, or sexual abuse; (d) a signed written statement from a victim and

witness advocate, or domestic violence counselor affirming the covered employee or the employee's family member sought services to enhance the physical, psychological, economic health or safety of the employee or the employee's family member; or (e) a signed written statement from a victim and witness advocate, or domestic violence counselor, as defined by applicable law, affirming that the covered employee or the employee's family member is involved in legal action relating to stalking, domestic violence or sexual abuse. The signed statement under subsection (e) shall only include the name of the covered employee or the employee's family member who is a victim and the date on which services were sought.

D. Employees may be denied future requests if an employee fails to provide the notice required under A or C above.

E. Full- and part-time staff must follow established guidelines for recording usage of all Sick and Safe leave, in addition to the notification process in section A and C above. Adjuncts must report all missed time to their supervisor/Chair/Director in accordance to sections A and C above. The Chair will be responsible for recording all sick and safe leave used to the area Dean, VPISA, or designee who will forward all sick and safe leave usage to the Human Resources Office.

F. All sick and safe leave usage must be in increments of no less than one hour.

G. By mutual consent, part-time hourly staff and their supervisor may alter their work schedule in the current pay period or the following pay period to make up missed hours without using accumulated sick and safe leave.

H. Sick and Safe Leave may not be used if it has yet been accrued. If leave is taken that is not yet accrued, annual leave and compensatory time will be used (if applicable). After all other leave is exhausted, leave without pay will be required.

In addition, if a covered employee's sick and safe leave is subject to the provisions of the Family Medical Leave Act (FMLA), please contact a Human Resources Office Team Member.

VI. ABSENCE IN EXCESS OF ACCRUED SICK AND SAFE LEAVE

Absence exceeding the amount of accrued Sick and Safe Leave will be charged against accrued vacation leave (if applicable) until leave is exhausted and will then be leave without pay. Eligible staff persons who have leave without pay status do not accumulate sick and safe leave while in that status. Staff members receiving Workers' Compensation Benefits, however, will continue to accrue Sick and Safe leave.

VII. COORDINATION OF SICK AND SAFE LEAVE, FMLA, OR LEAVE RELATED TO REASONABLE ACCOMMODATIONS UNDER ADA

Sick and safe leave under this policy will run concurrently with any needed leave under the policies for family and medical leave and as reasonable accommodation under the Americans with Disabilities Act.

VIII. DISPOSTION OF ACCUMULATED SICK AND SAFE LEAVE AT TERMINATION OF EMPLOYMENT

No payment shall be made for accumulated sick and safe leave after termination of employment, either through dismissal, resignation or retirement.

Members of the Maryland State Retirement and Pension system may receive additional creditable service for accumulated unused sick and safe leave, which can increase the amount of the monthly pension allowance at retirement, which is determined by MSRPS upon retirement. More information can be found at https://sra.maryland.gov/. However, members of an Optional Retirement System will receive no future pension or retirement benefit on their balance of accumulated sick and safe leave.

If an employee is rehired within 37 weeks after leaving employment, any accumulated sick and safe leave the employee had at termination will be restated up to the following maximums:

Full-time employee	Up to 352 hours
Part-time employee	Up to 64 hours

IX. NOTIFICATION OF EARNED LEAVE AND BALANCES

Employee's hours used and hours accrued for sick and safe leave are available in Self Service – Leave, or Self Service – Earnings Statements. For more information on assessing this information, please contact your supervisor or an HR team member.

X. ADMINISTRATION OF POLICY

The Human Resources Office is responsible for implementation, administration, and oversight of this policy. Questions can be directed to the Human Resources Office.

XI. CHANGES

Substantive changes to this policy require approval by the Board of Trustees; editorial changes, title/position changes, and/or changes to its implementation procedures may be made as required by federal or state mandate and/or institutional need with timely notice to employee.