Income Protection Time (Sick Time)

AFSCME (BL, IN, SB) 5.5

**Effective:** July 1, 2012  
**Last Updated:** July 1, 2012

**Responsible University Office:** University Human Resources  
**Responsible University Administrator:** Senior Vice President and Chief Financial Officer  
**Policy Contact:** University Human Resources

**A. Scope**

This policy applies to all Service Staff employees at Bloomington, IUPUI, and South Bend.

**B. Policy Statement**

1. Regular attendance is a condition of employment.

2. Income Protection Time is provided to protect income and to prevent loss of pay during personal and family illness, injury, or medical/dental appointments, personal emergencies that are not health related, and other special situations.

3. Full-time, appointed employees earn 3.7 hours per eligible 80-hour period (see the Absences With and Without Pay policy). This results in a maximum earning of 96.2 hours in a calendar year.

4. Part-time appointed employees of 75% FTE or greater earn a prorated amount of hours, based on their specific FTE. Hours are not earned if the FTE is less than 75% FTE.

5. The amount of income protection time that may be used for any period of personal or family illness or injury is limited only by the amount of time accrued and the medical need to be away from work. Time cannot be used in anticipation of its accumulation.

6. Earnings are accumulative from year to year.

7. Administrators may require confirmation of illness or injury through a licensed physician's statement.
before approving the use of income protection time. See the provisions in the Procedures section for details.

C. Procedures

1. Use of earnings for personal illness, medical/dental appointments
   a. Employees may use accumulated income protection time after receipt of their first paycheck.
   b. When income protection earnings are used, the exact number of hours, including tenths of hours, are reported and subtracted from accumulated earnings. There is no limit to the number of hours an employee may use to cover any period of personal illness or injury, but hours cannot be used in anticipation of their accumulation. Medical disabilities resulting from pregnancy will be treated as any other temporary medical disability.

2. Use of earnings for family care
   a. Earnings may be used so that employees can provide medical and dental care for family illness, injury or medical/dental appointments for members of the immediate family or household.
   b. Members of the immediate family or household are: spouse as defined by Indiana law, same sex domestic partner as qualified by the university's Affidavit of Domestic Partnership, unmarried child at home including the child of the same sex domestic partner, or other relatives living with the employee. Parents, children, grandparents, grandchildren, brothers, sisters and relatives of the spouse or the same sex domestic partner of the same degree who live in the community and are solely dependent on the employee for emergency care also qualify for use of these earnings.
   c. When income protection earnings are used, the exact number of hours, including tenths of hours, are reported and subtracted from accumulated earnings.

3. Other uses of earnings
   a. In addition to illness and injury, earnings may be used to cover the following:
      i. Personal emergencies that are not health related. These events will typically be unforeseen, will require immediate action, and are beyond the employee’s control. The employee must notify the supervisor as soon as possible as to the reason and expected time of return. The employee may be required to provide documentation on the nature and circumstances of the absence.
      ii. Special situations that cannot be handled during the normal hours away from the job. Examples are: religious holidays not provided for in the university's holiday plan, funeral arrangements, marriage arrangements, legal matters, real estate transactions, university class attendance, etc.
         1. Request must be approved in advance of usage.
         2. Department heads are authorized to deny these requests with pay when there is evidence the absence will work an undue hardship upon the university in relation to employee's convenience or needs or when the request is inconsistent with the provisions of this section of the policy. Department heads shall not deny such requests on the basis of undue hardship if requested at least 48 hours in advance, except on the basis of excessive numbers of requests for the same day. Further, any denials must be made within two hours
following the request, or 48 hours before the requested absence, whichever comes later.

3. The employee may be asked for an explanation for the request so that the supervisor can make a decision consistent with the policy.

   iii. In conjunction with Worker's Compensation.

   iv. Selective Service physical - may use a maximum of eight hours when orders require a physical exam.

4. Confirmation of illness or injury

   a. Before approving the use of income protection time, supervisors may require confirmation of illness or injury through a licensed physician’s statement whenever any of the following apply:

      i. The employee has been absent three or more consecutive work days.

      ii. There is a pattern of absenteeism.

      iii. There has been corrective action for absenteeism during the prior twelve months.

      iv. The supervisor has cause to believe that the absence is for a reason other than illness or injury.

      v. The employee has not followed campus or department attendance guidelines.

   b. In determining whether there is a pattern of absenteeism, absences approved by the university as a reasonable accommodation under the Americans with Disabilities Act or taken under the provision of the Family Medical Leave Act cannot be considered.

   c. This paragraph does not limit the university’s right to require a physician’s statement or other medical documentation to support a long-term absence, including FMLA, fitness to return to work, or continued ability to perform the assigned tasks, or to determine eligibility for other benefits or comply with any state or federal requirement.

5. Separation pay for unused earnings

   a. For a description of the pay for unused Income Protection Time earnings at time of death or separation with IU Retiree status regardless of the reason for separation, see the Separation Pay policy.

D. Sanctions

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

E. Forms

Affidavit of Domestic Partnership (PDF)
F. Web Address for this Policy
hr.iu.edu/policies/sm-all/time_off/income_protection.html

G. Related Information
Absences With and Without Pay policy
Separation Pay policy

H. History
In the Spring of 2012, Indiana University administration and AFSCME Council 62 leadership worked to merge the personnel policies covering Service (SM) Staff at Bloomington, IUPUI, and South Bend into one set of policies. This is one of the 27 policies that is the product of their work. Effective July 1, 2012, it brought together the provisions that were the same on all three campuses; eliminated differences when agreement could be reached; and identified those provisions in which differences remained.