



KENTUCKY STATE UNIVERSITY

Policies and Regulations

REGULATION TITLE:

Shared Sick Leave

APPLIES TO:

Faculty

Staff

ADMINISTRATIVE AUTHORITY:

Office of Human Resources

APPROVED BY:

President Koffi C. Akakpo (Interim Approval)

EFFECTIVE DATE:

October 7, 2025

NEXT REVIEW DATE:

Six Months from Approval if Not Renewed or Made Permanent

REGULATION STATEMENT:

Kentucky State University (KSU) has established a shared sick leave pool (SLP) to provide a source of additional paid sick leave for employees who have exhausted all available sick and vacation leave as a result of a catastrophic illness or injury. SLP benefits are made available through voluntary donations of sick leave hours from current employees.

An eligible faculty or staff member may request shared sick leave only for an extreme or life-threatening illness or injury that may require leave without pay. The standard for qualifying as an extreme or life-threatening illness or injury is based on the criteria established under the Family and Medical Leave Act (FMLA), including, but not limited to, overnight hospital care and its resulting incapacity or subsequent treatment, chronic conditions requiring medical treatment, or permanent long-term conditions requiring medical treatment.

Shared leave, in and of itself, does not provide job-protected leave. Shared leave serves only to assist employees in maintaining paid leave status during an absence due to an extreme or life-threatening medical condition.

Share leave may be granted for a maximum of thirty (30) days per designated condition during a rolling 12-month period.

Upon returning to work, a shared sick leave recipient will be expected to provide the Office of Human Resources (HR) a release to return to work from a healthcare provider.

DEFINITIONS:

Catastrophic or Life- Threatening (Extreme) Illness or Injury:

A severe condition or combination of conditions affecting the mental or physical health of an employee that requires the services of a licensed physician for a prolonged period of time and significantly limits one or more Activities of Daily Living (ADL). Such a condition is typically life-threatening or extremely serious, often requiring inpatient hospitalization, care in a residential medical facility, or hospice. It may occur suddenly without warning or develop over time as a long-term medical condition and can result in serious, lasting effects on the individual's health and ability to perform normal ADL.

PROCESS:

Applicability

Full-time faculty and staff members with at least six (6) months of continuous service who are unable to perform regular work duties and who have exhausted, or will have exhausted all forms of paid leave, are eligible to use shared sick leave from the SLP.

Contributing to the SLP

Contributing to the SLP is not a prerequisite for drawing from the SLP.

The SLP will be funded via the voluntary contributions of sick leave days by eligible employees. Employees will be given the opportunity to contribute a minimum of one (1) day and a maximum of five (5) days of sick leave to the SLP every 12 months.

Employees must have a sick leave balance of at least twelve (12) days or more at the time of their contributions in order to be eligible to donate sick leave to the SLP. Contributing employees are therefore required to retain at least ten (10) of their own sick leave days after contributing to the SLP.

Once an employee contributes to the SLP, his or her donated sick leave will not be restored to his or her individual balance at any time. Contributing employees may not designate a particular employee to receive their donated sick leave, as this program is for any and all qualified employees who may be dealing with a serious medical condition.

Drawing from the SLP

Reasons for denying access to the SLP include: elective medical procedures, illnesses and injuries that do not require medical treatment, and minor illnesses and injuries that are almost always temporary. This list is not exhaustive.

Requests for drawing from the SLP must be made using the SLP request form and must be accompanied by a written statement from a licensed medical practitioner that provides the start date of the condition, a description of the illness or injury, a prognosis and the date the employee may be able to return to work. HR personnel will review prior sick and vacation leave usage when making the decision on whether to grant use of the SLP.

An employee who is allowed to draw from the SLP will not be required to pay back that sick leave to the bank unless it is determined that he or she misrepresented his or her medical condition or falsified information on the SLP request form. Any unused award of sick leave will be returned to the SLP at the end of an employee's leave.

The salary level of an SLP donor or recipient will not be a factor in determining whether to approve use of the SLP. The intent of the SLP is to provide an affected employee paid leave at his or her regular rate of pay. An employee receiving sick leave from the SLP will continue to be paid from his or her budgeted account.

Other Considerations

- Prior to using the SLP, an employee must exhaust any and all of the following benefits, if available and appropriate:
 - Accrued sick leave
 - Accrued vacation leave
- Share sick leave benefits are not available to KSU employees who:
 - Are currently receiving long-term disability payments;
 - Are currently receiving Social Security disability payments; or
 - Are currently receiving Workers' Compensation disability payments
- Participation in the program is voluntary and does not guarantee approval
- Employees may not request the names of recipients or the amount of time utilized by recipients.
- KSU may exercise flexibility in administering this regulation in rare and exceptional circumstances.

Approval Process

SLP requests will be reviewed by HR on a first-come, first-served basis. The leave recipient will be notified of HR's decision within ten (10) business days of submission of a completed request.

If the request is denied, HR shall provide a reason for the denial. If a request is approved, HR shall provide the date the employee may begin drawing leave from the SLP and, if the employee entered leave without pay, whether the approved shared leave may be substituted retroactively to cover the period of leave without pay.

Confidentiality

Any medical information provided due to shared leave requests will remain confidential and will only be shared on a strict need-to-know basis solely related to administration of the SLP program.

Termination of SLP Membership

An employee may withdraw from the SLP at any time by sending a written request to HR. Any leave the employee contributed to the SLP prior to withdrawal shall be forfeited.

REFERENCES AND RELATED MATERIALS:

- FMLA Policy
- Sick Leave Regulation
- Health Insurance Portability and Accountability Act (HIPAA)
- Genetic Information Discrimination Act (GINA)

CONTACTS:

Subject	Office	Telephone	E-mail
Regulation questions	Human Resources	(502) 597-6667	Human.Resources@kysu.edu

HISTORY:

Revision Type	Date of Issuance/Revision	Drafter(s)/Editor(s)
Issued (New Policy) (HR Policy Manual)	March 2013	Unknown
Revised	August 9, 2024	Zach Atwell
Revised (Reclassified as a Regulation)	July 21, 2025	Zach Atwell
Revised	October 7, 2025	Kendra Herve