

Resolution Restoration of Unused Accumulated Sick Leave Credits after a Break in Employment with UW System

Whereas, Office of State Employment Relations rules provide for reinstatement of unused accumulated sick leave credits to most state employees when they return to work within **five** years of a break in employment.¹

Whereas, the UW System Board of Regent rules limit reinstatement of unused accumulated sick leave credits for academic staff and faculty to those who return to work within **three** years of a break in employment.²

Whereas, approximately 250 of the 9000 academic staff, limited appointees, and faculty employed in 2004 had prior appointments with a 3-year to 5-year break in employment;

Whereas, approximately 1/3 of 250 returned to UW employment between 3 years and 3.5 years;

Whereas, the restoration of unused accumulated sick leave credits after a break in employment of 3 years to 5 years is arbitrarily based on employment category:

Prior Employment	Break In Employment	Reemployment	Sick Leave Restored?
academic staff	3 years to 5 years	academic staff	no
academic staff	3 years to 5 years	classified staff	no
classified staff	3 years to 5 years	classified staff	yes
classified staff	3 years to 5 years	academic staff	yes

Whereas, the restoration of unused accumulated sick leave based upon employment category creates an unacceptable inequality of treatment between reemployed academic staff and faculty and reemployed classified staff in the UW System and all other state employees;

Therefore Be It Resolved, the Academic Staff Assembly requests the UW System Administration and the Board of Regents eliminate the three-year limit for restoring academic staff and faculty unused accumulated sick leave credits in *UWS Wisconsin Administrative Code UWS 19.03* and revise *The University of Wisconsin System Unclassified Personnel Guideline 10.03 Accrual of Sick Leave, B. Cancellation/Reinstatement* to provide that unused accumulated sick leave credits be restored to academic staff and faculty employees reappointed to positions in the System within five years of a break in employment, thus making it consistent with all other state employees.

¹ *Office of State Employment Relations, Administrative Code, ER 18.03(5)(a)* states: ... Whenever an unclassified employee covered by this section or a permanent classified employee is laid off, terminated due to lack of work or fund, or resigns, any unused accumulated sick leave credit shall remain on record and be restored if the person is reemployed in a position covered by this section within 5 years.

² *Rules of Board of Regents of the University of Wisconsin System, s. UWS 19 Sick Leave, 19.03 Cancellation and reinstatement, Wisconsin Administrative Code* states: If the employee terminates employment with the university of Wisconsin system other than through retirement or death, unused sick leave shall be terminated but shall be reinstated if the employee is reappointed to any position with the system within 3 years.