



School of Visual Arts
Faculty Sick Time Policy
Effective 1/1/2021

A faculty member is eligible for 1 hour of paid sick time for each hour of class that is regularly scheduled to meet each week for each class taught per semester. The maximum amount of sick time a faculty member may receive is 56 hours per year. A year runs from September 1 to August 31.

Sick time is evaluated and calculated prior to the start of each semester, based on total hours taught the prior academic year. If the faculty's teaching hours increase in the current academic year, the available sick time will be adjusted accordingly. All sick time is provided to existing and new faculty members and available for use by faculty members on the first day of each semester. Both new and returning faculty members may begin using their available sick time immediately at the start of each semester.

Unused sick time may be carried over from one year to the next to a maximum of maximum of 56 hours/ 8 days for any of the absences outlined in the policy. Alternatively, faculty will be permitted to annually "bank" unused sick days (to a maximum of 784 hours) for use in a certified short-term disability leave only. Unused sick time will not be paid to faculty either at the end of the year or upon separation from SVA.

Faculty members are entitled to use sick time for absences from work due to any of the following:

- (i) the faculty member's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive medical care or elective surgery;
- (ii) care of a family member* needing such medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical treatment or elective surgery;
- (iii) closure of the place of business by order of a public official due to a public health emergency or to care for a child whose school or childcare provider is closed by order of a public official due to a public health emergency;
- (iv) for covered purposes where the employee or the employee's covered family member is a victim of domestic violence, sexual offenses, stalking or human trafficking, including (but not limited to) obtaining services from a domestic violence shelter, rape crisis center, or other services program, participating in safety planning, temporarily or permanently relocating, enrolling a child in a new school, or taking other actions to increase the safety of the employee or employee's family members from future harm, and meeting with law enforcement, an attorney or other legal or social service provider to obtain information and advice on, or prepare for or participate in any criminal, civil or other legal proceeding ("safe time").

*Family members include a faculty member's child (biological, adopted, foster, step- or to whom the faculty member stands in the place of a parent, such as a caregiver), spouse, domestic partner, parent (or an individual who stands in the place of a parent, such as a caregiver, to the faculty member or did when the faculty member was a minor child), the child or parent of a faculty member's spouse or domestic partner, sibling (including adopted, foster, half- or step-sibling), grandparent, grandchild, any other individual related by blood to the employee, and any other individual whose close association with the employee is the equivalent of a family relationship.

Faculty members must report the intended use of sick leave to the Department Chair and Payroll with at least seven days' advance notice if the need is foreseeable, or as soon as practicable (and at all times, except in cases of extreme emergency, prior to the start of the faculty member's scheduled class time) if the need is unforeseeable.

For absences of more than 3 consecutive days, written documentation from a physician or licensed health care professional or, for safe time, other reasonable documentation, indicating the need for additional sick time may be required. For purposes of safe time, reasonable documentation may include a written note from a victim services organization, attorney, member of a clergy, or medical provider, a police or court record, or a notarized letter from the employee documenting the need for such leave. Requested documentation must be provided no later than seven (7) days after the faculty member returns from taking sick leave.

Medical documentation need not include a diagnosis or other confidential details about the medical condition for which sick leave is being taken. Further, SVA will not require faculty members or a health care or service provider to disclose confidential health information or the details of the matter for which a faculty member requests safe time under this policy, except where otherwise permitted or required by law. However, should SVA obtain confidential health or other information based on a request for leave under this policy, it shall keep such information confidential unless the faculty member consents to disclosure in writing or disclosure is otherwise required or permitted by law.

SVA may further require faculty members to certify that they have used sick leave for covered purposes under this policy. Fraudulent use of sick leave or failure to provide requested documentation may be the basis for disciplinary action, up to and including discharge.

Faculty members are protected from retaliatory action for exercising or attempting to exercise their rights under the New York State Paid Sick Leave Law and/or the New York City Earned Safe and Sick Time Act. Any faculty member who believes he/she has been subjected to retaliatory action in violation of this policy should report such action immediately to Human Resources. SVA will promptly investigate any claims of retaliatory action.

*Note: The current version of the policy is an update to the previous implemented April 1, 2014.