AGENDA

1. CALL TO ORDER/ROLL CALL/WELCOME

2. ACTION ITEM
   a. Permanent Rule on Transfer of Sick Leave, OAR 580-021-0041 ......................... 1
      This rule expands the current acceptance of accumulated leave by OUS institutions to
      allow employees hired by state agencies to take their accrued sick leave with them. The
      hiring agency accepts the financial responsibility for sick leave that it accepts from OUS
      institutions.

3. ADJOURNMENT

Note: All docket materials are available on the OUS website at: http://www.ous.edu/board/meetingmaterials.htm. Please contact the Board’s office at (541) 346-5795 if you have any questions regarding these materials. Notice for public access to this teleconference can be obtained at: http://www.ous.edu/board/letters/call040923EC.pdf
This agenda may be amended at any time prior to 24 hours before the Board meeting. Estimated starting times for the agenda items are indicated; however, discussions may commence, or action may be taken, before or after the suggested times. Any item on the agenda may be considered at any time out of order at the discretion of the President of the Board. During the meeting, the Board may convene in Executive Session to receive legal advice regarding any item on the agenda or for any reasons permitted under Oregon law.
Permanent Rule on Transfer of Sick Leave
OAR 580-021-0041

Staff Report to the Board:
In September 2003, the Human Resources Division of the Department of Administrative Services requested that OUS permit unclassified employees and faculty hired by other state agencies to transfer their accumulated sick leave balances to the hiring agencies.

This rule expands the current acceptance of accumulated leave by OUS institutions to allow employees hired by state agencies to take their accrued sick leave with them. The hiring agency accepts the financial responsibility for sick leave that it accepts from OUS institutions.

Since adoption as a temporary rule on April 6, 2004, OUS institutions reported by phone survey to campus employment managers that the transfer of sick leave between the OUS and other state agencies has been utilized four times.

Public comment on the proposed rule was held on September 15, 2004. The hearings officers’ report shows that no testimony on this rule was given at the hearing. No other public comment on the rule has been received by the OUS.

Recommendation to the Board:
Staff recommends that the Board adopt OAR 580-021-0041, effective upon filing.

(Board action required: Roll call vote.)

580-021-0041
Transfer of Accumulated, Unused Sick Leave

(1) OUS academic and administrative unclassified staff may transfer unused accumulated leave balances between the OUS and state agencies, subject to sick leave transfer provisions in (3) and (4), and applicable collective bargaining agreements.

(2) For purposes of this rule, a “state agency” includes all state agencies in the executive, judicial, or legislative departments of the State of Oregon. Special government bodies, including community colleges, school districts, education service districts, are not considered state agencies for purposes of this rule. Local government public employers other than state agencies are likewise ineligible to transfer unused leave to or from the OUS.

(3) Assumption of Funding Liability. Hiring agencies and departments assume funding liability for sick leave transferred under the provisions of this rule.
(4) Sick Leave. The full amount of accumulated, unused sick leave available at the time an employee separates from service may be transferred to an OUS institution or state agency when the employee is hired. Unearned, advanced sick leave that results in a negative sick leave balance is neither transferred nor accepted by OUS institutions.

   a. Accumulated, unused state agency sick leave earned during employment with a state agency, including leave earned in classified service, may be transferred to the hiring OUS institution if the break in service does not exceed two years, subject to approval of the hiring institution.

   b. Accumulated, unused sick leave earned during employment with an OUS institution shall be transferred to the hiring state agency if the break in service does not exceed two years, subject to the rules of the state agency.

Stat Auth: ORS 351.070
Rules Replied On: OAR 580-020-0100(5); OAR 580-021-0040.