# Michigan Civil Service Commission Regulation 5.10
# Sick Leave, Funeral Leave, and Sick Time

SPDOC 26-05, effective June 7, 2026 (replaces Reg. 5.10, SPDOC 25-03)

## 1. Purpose

This regulation establishes standards for paid sick leave, funeral leave, and sick time.

## 2. CSC Rule References

### 5-10 Paid Holidays and Leave

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**5-10.2 Paid Leave**

**(a) Leave accrual and accumulation.**

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**(3) Sick leave.** A career employee in the classified service is credited with 4 hours of sick leave with pay for each completed 80 hours of service. An employee paid for less than 80 hours in a biweekly pay period is entitled to a prorated amount of sick leave. Paid service in excess of 80 hours in a biweekly pay period is not counted.

**(4) Funeral leave**. In the event of the death of an employee's spouse, child, parent, or sibling, the employee will be allowed 8 hours of funeral leave on the day of the funeral to attend the service.

**(5) Sick time.** A noncareer employee is credited 1/30 hour of paid sick time for each hour worked.

**(b) Leave use and limitations.**

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**(2) Crediting and use of sick leave and sick time.** An employee is credited with sick leave or sick time in accordance with the compensation plan. An employee may use sick leave and sick time in accordance with the compensation plan. An appointing authority may require an employee to present medical certification of physical or mental fitness to continue working. The appointing authority may require an employee to be examined at state expense by a physician selected by the appointing authority.

**(3) Other limitations.** Annual, personal, school and community participation, funeral, sick leave, and sick time cannot be authorized, accumulated, or credited in excess of limits established in the compensation plan.

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**(5) Use of funeral leave.** An employee may use funeral leave when approved by the appointing authority in accordance with the compensation plan.

# 3. Standards

**A. Sick Leave and Sick Time Crediting and Accumulation.**

**1. Career employees.**

**a.** Every career employee is credited 4 hours of sick leave for each 80 hours of service completed. Paid service above 80 hours in a biweekly pay period is not counted.

**b.** If paid service is below 80 hours in a biweekly pay period, leave credits are prorated based on hours in pay status for that pay period.

**c.** Temporary layoff and Plan-A time is included in computing service hours for sick-leave credits.

**2. Noncareer employees.** Every noncareer employee is credited with 1/30 hour of sick time for each hour worked.

**3. Availability.** Sick leave and sick time are credited after the biweekly pay period when earned. Accrued sick time and sick leave may be used only as described in this regulation and only for hours the employee is scheduled to work. Sick leave and sick time cannot be credited or used in anticipation of future accruals.

**B. Sick Leave and Sick Time Use.**

**1.** Any sick leave and sick time use must have the appointing authority's approval.

**2.** Absent accrued leave, compensation reductions for lost time are made for the pay period when the absence occurred. An employee may elect to not use other paid leave to cover such absence.

**3.** The employee must certify all sick leave and sick time use by evidence the appointing authority requires. Falsifying such evidence is cause for dismissal.

**4.** An employee may use sick leave or sick time for the following:

**a.** Personal illness, injury, serious health condition, temporary disability, exposure to a contagious disease endangering others, or illness or injury in the immediate family necessitating absence from work. Immediate family means the employee's spouse, child, grandchild, parent, foster parent, parent-in-law, sibling, or any person whose financial or physical care is the employee's principal responsibility.

**b.** Appointments with a doctor, dentist, or other recognized practitioner that cannot be arranged during non-duty hours.

**c.** Death or attendance at the funeral of a relative or person whose financial or physical care is the employee's principal responsibility.

**d.** Work incapacitating injury or illness for which an employee is eligible for disability benefit under the Michigan Worker's Disability Compensation Act to supplement the disability benefit to the employee's regular wage

**C. Transfer of Sick Leave and Sick Time.**

**1.** An employee who moves to another state agency and remains in the classified service is credited with all unused sick leave and sick time by the receiving agency.

**2.** An employee moving between classified and executive branch unclassified positions transfers all unused sick leave if civil-service benefits were elected for the unclassified position.

**3.** A noncareer employee moving to a career position has all unused sick time credited as sick leave. A career employee moving to a noncareer position has all unused sick leave credited as sick time.

**D. Separations.**

**1. Employees without a break in service since before October 1, 1980.**

**a.** An employee separating from the classified service because of death, retirement, vested retirement under a state retirement act, or expiration of recall rights or a waived-rights leave is paid for 50% of unused sick leave on the separation's effective date. For death, payment is to the employee's beneficiary or estate.

**b.** An employee separating from the classified service for any other reason is paid for the percentage of unused sick leave indicated below:

(1) 0% paid if sick leave balance is under 104 hours.

(2) 10% paid if sick leave is 104 to 208 hours.

(3) 20% paid if sick leave is 209 to 416 hours.

(4) 30% paid if sick leave is 417 to 624 hours.

(5) 40% paid if sick leave is 625 to 832 hours.

(6) 50% paid if sick leave is over 832 hours.

**c.** Payment is at the employee's rate the employee last received pay by the agency from which the employee separates.

**d.** Employees who receive payoffs are not entitled to buy back or have unpaid balances restored if returning to classified employment.

**2. Employees not continuously employed since before October 1, 1980.**

**a.** Employees separating from the classified service are not entitled to payoff of sick-leave balances.

**b.** Employees reinstated or rehired within three years of separation have previous unused sick-leave or sick-time balances restored as described in this subsection. An eligible employee rehired or reinstated to a career position has their previous unused sick-leave or sick-time balance restored as sick leave. An eligible employee rehired or reinstated to a noncareer position has their previous unused sick-leave or sick-time balance restored as sick time.

**E. Recall.** Sick leave balances are credited to a laid-off employee upon return to employment in the state classified service before the expiration of recall rights.

**F. Leave of Absence.** Sick leave and sick time balances are not liquidated or paid off at the start of a leave of absence.

**G. Funeral Leave**

**1.** Any funeral leave use must have the appointing authority's approval. Funeral leave is available only on the date of the funeral or memorial service for an employee's spouse, child, parent, or sibling occurring during the employee's scheduled work hours. Only one funeral or memorial service per spouse, child, parent, or sibling is eligible for funeral leave.

**2.** Approved funeral leave use is coded as FNLV on the employee's timesheet.

**3.** Not more than 8 hours of FNLV may be used for each eligible service. FNLV may be used only on the date of the service. FNLV is not carried over, accrued, or paid off.

**4.** The employee must certify all funeral leave use by such evidence as the appointing authority requires. Falsifying such evidence is cause for dismissal.

**Contact:** Direct questions on this regulation to Compensation, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; at 517-241-0837; or MCSC-Compensation@mi.gov.