**55:09:04:02.  Sick leave.** Sick leave with pay shall be accrued each semimonthly pay period in equal increments to the maximum specified in SDCL 3-6C-7. An employee paid monthly shall accumulate sick leave at a rate of 9.334 hours per month. An employee who works less than full time shall accrue prorated sick leave based on the number of hours paid in the pay period.

Sick leave may be granted for the illness, health care needs, or temporary care of the employee, the employee's immediate family, or a person for whom the employee is the legal guardian. An employee may use up to five days of sick leave, as bereavement leave, for the loss of an immediate family member. An employee who is on approved leave, except terminal vacation leave, and becomes injured or ill may use sick leave.

The appointing authority may, with the approval of the commissioner, require the employee to produce a doctor's statement to support a request for sick leave.

**Source:** 39 SDR 99, effective December 3, 2012; 44 SDR 99, effective December 11, 2017; 46 SDR 146, effective July 1, 2020.

**General Authority:** SDCL 3-6C-7, 3-6C-18.

**Law Implemented:** SDCL 3-6C-7, 3-6C-18.