




Approved by: Juan Williams, Commissioner	Policy Number: 12-043 (Rev. 07/01/2024)
Signature: 	Supersedes: 11-058, 99-023
Application: Executive Branch Agencies and Employees, Human Resource Officers	Effective Date: October 3, 2012
Authority: T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-50-803, T.C.A. § 8-50-804, T.C.A. § 8-50-807	Rule: Chapter 1120-06

Reinstatement of Sick Leave

Tenn. Code Ann. § 8-50-804(a) states that whenever an employee who has worked on a full-time, continuous basis for the state of Tennessee for at least one (1) full year leaves state employment in good standing and returns to state service as a full-time state employee, the employee shall immediately be credited with all sick leave to which the employee was entitled at the time of the previous termination; provided, that any such employee having had at least one (1) full year of employment and returning to state service as a full-time state employee who has had any interim employment with the state of Tennessee for less than one (1) year shall not be disqualified from receiving such credited sick leave to which the employee was otherwise qualified to receive because of the employee's prior employment with the state.

Sick leave reinstatement will be denied to any employee who is dismissed from state employment because of gross misconduct. Sick leave will be reinstated to employees who leave state employment for any other reason, regardless of the rehire designation.

All sick leave earned while employed in any agency, department of the state or any state college, university or state operated technical school, shall be fully transferrable between such agencies, departments, colleges and universities.

All earned sick leave accrued by any employee who has transferred employment from a local school system in Tennessee may transfer when becoming a state employee. This section shall not apply to a substitute teacher.

Sick leave reinstatement requests will be honored for employees who are eligible based on this policy. To correct sick leave balances, the hiring agency must submit appropriate documentation to the Department of Human Resources' Agency Resource Center (ARC).

Questions regarding this policy may be directed to the ARC.