Leave and Scheduled Absences

Policy Content

Academic Leaves

Academic Leaves for faculty are discussed in Chapter 4A: Statement on Faculty Development, Section III.A: Academic Leave Policy.

Court Duty

Faculty and contract staff subpoenaed to serve on a jury or as a witness will be granted the necessary time off with pay.

Classified Employees, except those on temporary appointment, will be granted a leave with pay of up to ten (10) days per calendar year to attend court as a juror or non-professional witness for the county, state or federal government. Vacation Leave will not be deducted to pay for Court Leave.

Requests for Court Leave must be submitted through the appropriate administrative official and forwarded to the Human Resources Office. Evidence of attendance will be required.

Court Leave should be reported on web time entry, time cards or leave request forms in accordance with the employee’s time keeping record requirements.

Disability Leave

Faculty

Trinity University will provide protection of remuneration (salary and other benefits) to any fulltime employee who through protracted physical or psychological disability is unable to perform the tasks and/or meet the responsibilities normally associated with the duties of his/her position. This protection of remuneration will be for a period of no more than six months from the commencement of the disability. The protection is only for the actual remuneration due under the applicable contract or pay grade classification. Due to the nature of the protection plan, the University will not continue payments for periods beyond the completion of a terminal contract or provide remuneration protection for periods not otherwise covered by the contract (e.g., summer recess for nine-month faculty) even though these periods will be counted toward the six-month limit. An employee who becomes disabled as a result of a work-related injury will have his/her short-term disability payments reduced by any compensation received from the University’s Worker Compensation Insurance Company. During short-term disability leave, all accruals of vacation and sick leave will be suspended. Eligibility for
remuneration protection will be based upon clear and convincing medical evidence, and a change to disability status shall be made

1. at the request of an affected employee by presentation of a request to commence disability status and presentation of such medical evidence as may be necessary to demonstrate the existence of a physical or psychological disability which precludes that individual from performing the tasks or meeting the responsibilities normally associated with the discharge of his/her duties, and that such is expected to be protracted; or,

2. at the request of the University by presentation to the affected employee of a determination of long-term disability. For faculty members action is to be initiated by the University pursuant to Chapter 3A, Article V: Termination of Tenured or Unexpired Appointments. All of the various due process provisions contained in this Handbook shall apply.

Every effort will be made to assure that disability coverage provided by the Teachers Insurance and Annuity program or other such disability program will become applicable upon the conclusion of the period of remuneration protection; however, in no event will the University's obligation to provide remuneration protection continue past six calendar months from the commencement of the disability period.

The University's obligation for remuneration protection will cease effective upon the affected individual's having obtained another position of employment. Further, the University reserves the right to deduct from any remuneration provided here under the amount of earnings received by the affected individual from such employment during the period of disability.

In the event of a request by either the affected faculty member or the University for long-term disability status, the commencement of such disability will be presumed to be the date of a recognizable event that resulted in the disability. In the event of a request by the faculty member, if the University disputes the existence and/or extent of disability, the University may require the affected faculty member to be examined by a physician or other professional of its choosing at the University's expense.

Where necessary, each faculty member's contract will be modified to reflect agreement to the foregoing. Additionally, the relevant provisions of this Handbook above will be restated to reflect the foregoing.

The University will require a medical release before the employee returns to work. This action will be taken to certify that the employee is capable of returning to work and performing normal duties. Should the University require a second opinion, this will be at
the University’s expense.

Once the six-month disability benefit has been used and if the employee later returns to work, he/she must work for two years before a similar benefit can again be used.

If the faculty member is eligible for leave under the Family and Medical Leave Act, such leave will be taken concurrently with any disability leave.

Failure to apply for disability leave in a timely manner will not extend the six-month period.

**Contract Staff**

All full-time contract staff will accrue disability leave on the basis of two months (44 working days) for each full year of full-time employment up to a maximum of six months (130 working days). All permanent part-time contract staff will accrue disability leave in the same proportion that their percent of time worked relates to that of a full-time employee. Disability leave will only be paid when the duration of the illness is expected to extend beyond six months.

The accrued disability leave will be paid at the rate of 100 percent of the employee’s base salary.

The University will require a medical release before the employee returns to work. This action will be taken to certify that the employee is capable of returning to work and performing normal duties. Should the University require a second opinion, this will be at the University’s expense.

An employee who becomes disabled as a result of a work-related injury will have disability leave payments reduced by any compensation received from the University’s Worker Compensation Insurance Company.

Once the six-month disability benefit has been used and if the employee later returns to work, he/she must work for two years before a similar benefit can again be used.

If the employee is eligible for leave under the Family and Medical Leave Act, such leave will be taken concurrently with any sick leave and/or disability leave.

Disability leave will extend no longer than six months after the employee ceases to be in an active work status. During the period of approved University (short-term) Disability Leave, all accumulated sick leave and vacation leave must be utilized concurrently until
exhausted. Failure to apply for disability leave in a timely manner will not extend the six-month period.

Family and Medical Leave

The Family and Medical Leave Act allows eligible employees to take 12 weeks of job-protected leave for family and medical reasons, including a family member’s serious health condition, and up to 26 weeks for military caregiver leave.

Employees who have completed twelve months of benefits-eligible employment and work at least twenty hours a week may request a maximum of twelve weeks unpaid family leave during any twelve-month period. Family leave may be granted for

1. the birth or care of a child;
2. the adoption of a child or the placement of a child in the employee’s home for foster care;
3. the care of an immediate family member (spouse, child, or parent) with a serious health condition; or
4. the employee’s own serious health condition.
5. Military Exigency Leave to deal with a qualifying exigency related to or affected by the active military duty or call to active military duty in the Armed Forces, National Guard, or military reserves of the employee’s spouse, child, or parent.
6. Military Caregiver Leave to care for a spouse, child, parent, or next of kin who is a member or former member of the Armed Forces and who is undergoing medical treatment, recuperation, or therapy, is on outpatient status, or is on the temporary disability retired list, for a serious illness or injury that was incurred in the line of duty while on active duty and incurred within five years prior to the treatment, recuperation, or therapy.

Requesting FMLA Leave

Employees must submit a written request to the appropriate administrative supervisor at least thirty days prior to the commencement of leave in cases where the leave is foreseeable and make reasonable efforts in scheduling leaves to avoid disrupting the work unit. Family and medical leave requests must be documented by a physician or, in the case of adoption, a copy of the adoption papers. Medical certification forms are available from the Office of Human Resources.

Salary and Benefits During Leave

Employees will be required to use Vacation and Sick Leave for any part of the twelve-week Family and Medical or FMLA Military Leave. During an approved leave, the employee remains eligible to continue medical, dental, life, and disability premiums. The University will continue to contribute its portion of the total premium, and the employee will pay the remaining balance on a schedule agreed upon by the University and the employee. Using paid leave will not extend the maximum amount of leave available. When paid leave is exhausted, the remaining leave is unpaid. Sick leave and vacation benefits will continue to accrue only during the portion of leave during which
an employee is receiving sick leave or vacation pay.

Return To Work

Employees returning from Family, Medical, or FMLA Military Leave will be reinstated to the same or an equivalent position with no loss in pay or benefits accrued prior to the leave. However, an employee is considered to have resigned voluntarily if:

1. The employee does not return to work after the end of the approved leave period.
2. The employee has accepted other non-military employment during the leave period.

For details on Family, Medical, and FMLA Military Leave, please contact the Office of Human Resources.

Funeral Leave

The University grants eligible employees a paid funeral leave for death in the immediate family (spouse, child, parent, sister or brother, grandparent, grandchild, or corresponding in-law relationships; exceptions must be approved by the Office of Human Resources). A maximum period of three days funeral leave and, if needed, three additional days of sick leave, will be granted to those employees who experience a death in their immediate families. A temporary employee is not entitled to funeral leave. Funeral leave will be allowed proportionately for an employee on part-time status provided he/she is employed at least twenty hours per week. Full-time employees serving a probationary period are entitled to funeral leave privileges.

Parental Leave Policy for Academic Departmental Faculty

1. Purpose. The parental leave policy for tenure-track and tenured faculty recognizes the needs of faculty who balance teaching, research, service, and parental obligations. The University grants this leave to reflect the belief that the University, as well as the individual faculty member, benefits from arrangements that support faculty who pursue their academic careers while raising a family. Paid parental leave for faculty is designed to provide bonding and adjusting time for faculty members during the important period following the arrival of their new child.

2. Eligibility. This policy applies to full-time tenure-track or tenured faculty members, including faculty with nine-month appointments (e.g., academic departmental faculty) as well as faculty with 12-month appointments who accrue vacation and sick leave (e.g., library faculty or administrators), who will be the primary caregiver of a newborn or an adopted child age five years or younger. Individuals adopting a spouse’s or partner’s child(ren) are not eligible for this benefit. Simultaneous adoptions or multiple births (i.e., twins, triplets, or quadruplets) count as one leave event.

3. Leave Benefit. An eligible faculty member may take a paid one-semester leave soon after the arrival of the child. This will almost always be the semester of the arrival of the child or
the semester immediately following the arrival. The parent may instead opt to take a four-month paid leave, beginning at the time of arrival of the child (e.g., when a birth or adoption comes near the end of a semester, or when the faculty member has a 12-month appointment).

4. Use of Vacation and Sick Leave. Tenure-track and tenured faculty who accrue vacation and sick leave (e.g., library faculty) will not be required to use their vacation or sick leave as parental leave.

5. After taking the primary leave benefit stated above, the eligible faculty member may take an additional unpaid leave, if requested. For faculty on a nine-month contract, an unpaid leave of one semester is available in the semester immediately following the paid leave. For faculty on a twelve-month contract (e.g., library faculty), an unpaid leave of up to four months is available immediately following the paid leave.

6. During the time of leave, both paid and unpaid, the faculty member is released from all University responsibilities, including teaching, advising, research, and service.

7. If the faculty member is granted relief of teaching responsibilities during a portion of the semester not covered by the leave, the faculty member will resume non-teaching responsibilities such as advising and committee assignments.

8. Process. It is the responsibility of the faculty member to notify their department chair regarding the anticipated birth or adoption. In the case of birth, the faculty member shall notify the department chair no fewer than four months prior to the anticipated due date. In the case of adoption, the faculty member shall notify the department chair upon receipt of an anticipated date of adoption or upon the date adoption proceedings begin, whichever is earlier. It is the ultimate responsibility of the department chair, in consultation with the individual faculty member, to work with the Vice President for Academic Affairs (VPAA) to make the necessary staffing arrangements that will take place in the absence of the faculty member requesting parental leave. Staffing arrangements may include, but are not limited to, canceling a certain course offering, having another department member fill in for a particular course, or hiring a part-time replacement.

9. As in the case with other types of leave, the faculty member should make a request for the leave in writing to their department chair, who will forward it to the VPAA for review. To the extent appropriate, the VPAA will consult with Human Resources to make a final determination. As part of the leave request, the faculty member will be required to attest in writing that they will be the primary caregiver for the newborn or adoptive child during the leave period.

10. When both parents are faculty members at Trinity University, only one parent can qualify as the primary caregiver for the purposes of receiving paid benefits under this policy.

11. The department chair and the VPAA will address any conditions not covered herein, such as an adoption whose date is not anticipated, in consultation with the faculty member.

12. An eligible faculty member who becomes a new parent but is not the primary caregiver is eligible for two weeks of paid leave soon after the arrival of the child. It is the chair’s responsibility to make the necessary staffing arrangements to cover the faculty member’s
duties. Requests for such leaves should follow the procedures outlined above in this policy.

13. Tenure Clock Stoppage. For all probationary faculty members who experience the birth or adoption of a child (whether they are the primary caregiver or not) the timetable toward tenure review will be automatically extended by one year, unless a written request is received to waive the extension within one year of the birth or adoption of a child. (See also Chapter 3A, Article IV.D). This can occur with or without taking a leave of absence. There is no limit to the number of times a faculty member can stop the tenure clock in this manner.

14. Similar to the automatic tenure-clock stoppage, a faculty member will not be obligated to be reviewed, either formally or informally, while taking a parental leave under this policy. The faculty member's immediate supervisor, in consultation with the VPAA, will determine when the review will take place. The faculty member may choose to waive the delay of the review by submitting a request in writing to their chair prior to the normal timing of the review.

15. A probationary faculty member should not be put at a disadvantage for using this leave benefit or for extending the probationary period when they are evaluated. As stated in Chapter 3A, Article IV.D: Tenure-Track Appointments, “Extending the probationary period as a result of a qualifying event will not in itself disadvantage the faculty member in [their] promotion, advancement, or compensation. The file will be evaluated without prejudice as if the work were done in the normal period of service.”

16. A faculty member who uses this leave benefit will not be given nor expected to complete any additional work to compensate for the parental leave. For example, a faculty member cannot be assigned additional teaching, service, or advising responsibilities to make up for the time on leave.

17. All parental leaves will run concurrently with leaves taken under the Family and Medical Leave Act.

Parental Leave Policy for Classified and Contract Staff

Purpose: The University grants twelve weeks of paid parental leave to eligible contract and classified staff, to reflect the belief that the University and the individual staff member both benefit from arrangements that support staff who pursue their careers while raising a family. This leave is designed to provide bonding and adjusting time during the important period following the arrival of their new child for staff members who intend to return to work at the University at the end of the leave.

Eligibility: This policy applies to full-time, benefit-eligible classified and contract staff members with at least one year of full-time service at the University as of the date of the birth or adoption of the child, and who will be the parent of a newborn or an adopted child age five years or younger. Individuals adopting a spouse’s or partner’s child(ren) are not eligible for this benefit. Simultaneous adoptions or multiple births (e.g., twins, triplets, or quadruplets) count as one
leave event. The leave must be taken within one year of the child’s birth or adoption and may not be taken intermittently or as a reduced schedule leave.

The twelve week paid parental leave benefit is for the parent who will be the primary caregiver of their new child. An eligible staff member who becomes a new parent but is not the primary caregiver is eligible for two weeks of paid parental leave within one year after the arrival of the child. When both parents are employees at Trinity University, only one parent can qualify as the primary caregiver for the purpose of receiving the paid benefit under this policy.

Interaction with FMLA and other paid leave and benefits: Paid parental leave shall run concurrently with the Family and Medical Leave Act (FMLA). Parental leave is separate from and in addition to regular earned benefits (i.e. accrued sick and vacation leave) and must be the first leave used following the date of the birth or adoption of the child. Regular earned benefits shall continue to accrue while employee is on parental leave.

**Process:** It is the responsibility of the staff member to notify Human Resources of the need for parental leave. In the case of birth, the employee should provide 30 days’ written notice of the need for the leave. If the need for a leave is not foreseeable or if it is otherwise not possible to provide 30 days’ notice, notice must be provided as soon as practicable. In the case of adoption, the staff member shall notify Human Resources upon receipt of an anticipated date of adoption or upon the date adoption proceedings begin, whichever is earlier.

It is the ultimate responsibility of the supervisor and/or head of each department to work with the Vice President for their division to make the necessary staffing arrangements that will take place during the absence of the staff member requesting parental leave.

As part of the leave request, the staff member will be required to attest in writing that they will be the primary caregiver for the newborn or adopted child during the leave period.

Human Resources will address any conditions not covered herein, such as an adoption whose date is not anticipated, in consultation with the staff member.

**Effective Date:** This policy is effective for births and/or adoptions that occur on or after October 1, 2018, the effective date of this policy.

*Lactation Room Information:* Trinity has identified a pumping/feeding room on campus. The location is Chapel Room #226, labeled “Brides Room.” It can be accessed by contacting 210-999-8413 to have it unlocked the days the room is needed. The Chapel Building is open from 8am to 6pm in the summer and 8am to 10pm during the academic school year. The room can be locked from the inside when it is in use.

**Military Leave**
Members of the National Guard or of the official militia of the State of Texas or members of the armed forces reserves are subject to annual call for temporary active duty. These employees may be granted a leave of absence without pay. A copy of the military orders must be presented when requesting leave. Employees who are absent from work for duty in the uniformed services will be granted an unpaid military leave and reinstatement rights in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law.

Please contact the Office of Human Resources for additional details regarding military leave.

**Probationary Period & Leave**

All new hires will be subject to a six (6) month probationary/orientation period during which time the employee will accrue vacation but cannot take Vacation Leave. This applies only to new hires, not promotions/transfers of employees. Employees who do not complete the initial orientation period will not receive any accrued vacation pay upon termination.

**Short-Term Medical Leaves for Faculty**

There is no established University policy for medical leaves for most faculty. In the event that a faculty member must take a short-term medical leave of absence, it is understood that the following guidelines will govern the arrangements for the leave.

When the leave allows for advance planning, the curricular obligations of the faculty member on leave should be accommodated by creative scheduling such as team teaching, cancellation of classes, rescheduling classes, or course load adjustment. When curricular responsibilities remain after all of the options listed above are utilized, part-time faculty may be hired to cover those responsibilities. Since advance planning is essential to minimize curricular disruption, it is essential that there be consideration of the appropriate duration of the leave, where possible.

The leave will be negotiated by the faculty in consultation with his or her Chair and department and approved by the Vice President for Academic Affairs. If a satisfactory arrangement cannot be designed, the faculty member may involve the Vice President for Academic Affairs in the negotiations. Information on the curricular arrangements for previous medical leaves will be on file in the Office of Academic Affairs.

**Sick Leave**

The University is concerned that an employee’s income be protected during periods of bona fide sickness, injury and other family illness beyond the employee’s control. To meet such contingencies for comparatively short periods of time (not to exceed six (6) months), eligible employees are granted a Sick Leave privilege. Sick Leave is defined as the absence of an employee from work for one of the following reasons:
a. Because of a personal illness or injury which has incapacitated the employee from performing his/her job duties.
b. An appointment with a physician, dentist, optometrist, or similarly recognized medical practitioner, hospital, or clinic if arranged in advance. Such appointments are usually less than one-half (1/2) day in duration; therefore, an employee is expected to return to his/her job as soon as the appointment is concluded.
c. Tending to a member of the immediate family whose illness or injury requires the presence of the employee.

Immediate family is hereby defined to include spouse, children, siblings, parents or corresponding in-law relationships who are living in the same household, or if not in the same household, are totally dependent upon the employee for personal care or services on a continuing basis.

a. If an employee is out due to any FMLA qualifying event, Human Resources must be notified immediately.

A full-time employee will accrue Sick Leave at the rate of eight (8) hours for each full month of employment. A temporary employee regardless of work schedule is not entitled to Sick Leave. Sick Leave will accrue up to a maximum of 1040 hours.

a. Sick Leave will accrue when an employee is in an active pay status only. Sick Leave will not accrue during any period of leave without pay or University Disability Leave.
b. The term “full month of employment” as used in this policy is a period of employment from the first day to the last day of a calendar month. Sick Leave accrual occurs on the first of every month. Regardless of the employee’s hire date, he/she will accrue at his/her normal rate on the next scheduled accrual day after his/her hire date.
c. Sick Leave will be allowed proportionately for an employee on a continuing part-time appointment, provided he/she is employed for at least one-half (1/2) time.

In computing the use of Sick Leave for an employee, Sundays, holidays or other non-work days shall not be counted. Total Sick Leave hours plus hours worked in a day may not exceed the usual hours worked.

Abuse of Sick Leave privileges should be referred to the Director of Human Resources.

a. When a pattern of Sick Leave used by an employee indicates abuse of the privilege, the supervisor should take appropriate disciplinary action as indicated in Section 10.
b. An employee’s Supervisor may require an employee to provide a physician’s statement certifying the illness. Any unjustified or fraudulent claim of Sick Leave may result in loss of pay for the period of absence or disciplinary action up to and including dismissal.
Employees are required to notify their immediate supervisor within thirty (30) minutes after the start of the routine workday. Failure to notify the supervisor within this time frame may result in an unexcused absence, may disqualify any paid Sick Leave benefit for the absence, and may lead to disciplinary action up to and including dismissal.

An employee who transfers or is promoted from one department or division to another will be credited with his/her unused Sick Leave.

When it is apparent that serious illness or hospitalization will result in the use of all accumulated Sick Leave, the supervisor or employee should contact the Human Resources Office for verification of eligibility for the University (Short Term) Disability Leave benefit or the long term disability insurance plan. If the employee is not eligible for such coverage, the supervisor should request through the Human Resources Office that the employee be placed in a leave without pay status if the return of the employee is expected. In accordance with the University’s neutral applied absence policy, in no case will the illness-related absence from work exceed six months (all available leaves run concurrently).

Sick Leave must be reported on the employee’s time keeping record (i.e., web time entry, time cards or leave request forms.)

If Sick Leave is used during an employee’s resignation period, a physician’s statement will be required.

Employees may use Sick Leave when they are absent due to a job-related accident or injury. The employee’s total compensation received from Trinity University and the University’s insurance carrier may not exceed 100 percent of the employee’s normal salary.

Accrued and unused Sick Leave shall be forfeited and not be paid upon termination or resignation and are not considered to be compensation or accrued benefits “owed” pursuant to the Texas Payday Statute.

NOTE: Exceptions to the utilization of Sick Leave for the immediate family as defined must be justified in writing and will require the approval of the Director of Human Resources.

Vacation Leave

The University provides for an accrual vacation plan so that an employee may earn periods of paid absence from his/her job for the purpose of recreation or other activity which provides a change from the pattern of day-to-day work in order to enhance effectiveness as an employee. Employees should be encouraged to take, not accumulate, Vacation Leave. However, advances on Vacation Leave are not authorized. Any request for Vacation Leave is subject to supervisory
Vacation Leave with pay accrues as follows:

a. A full-time classified staff employee (except for those on temporary status) will earn Vacation Leave at the rate of eight hours (one day) for each full month of continuous employment up to a maximum of twelve (12) days per year. After five (5) years of service an employee will accrue vacation at the rate of ten (10) hours per month (1-1/4 days) up to a maximum of fifteen (15) days per year. After ten (10) years an employee will accrue twenty (20) days of vacation per year (13.33 hr./mo.). Part-time employees will earn the appropriate pro-rated amount of vacation leave hours for years of service.

b. A part-time classified employee (except those in temporary status) working one-half (1/2) time (at least twenty (20) hours or more) shall receive Vacation Leave on a prorated basis. An employee working less than one-half (1/2) time shall not receive Vacation Leave.

c. Vacation Leave will only accrue when an employee is in an active pay status. Vacation leave will not accrue during any period of Leave Without Pay or University Disability Leave.

All new hires will be subject to a six (6) month orientation period during which the new employees will accrue vacation but cannot take Vacation Leave. Any request for vacation during this period will be LWOP. This applies only to new hires and not promotion and transferred employees. Employees not completing the initial orientation period will not receive any accrued vacation pay upon termination.

Maximum leave accrual: Classified employees may accrue up to a maximum of one (1) year’s accrual of vacation leave (12 days, 15 days, or 20 days depending on length of service). At no time may the maximum accrual be exceeded, or the excess hours will be forfeited. Part-time employees will accrue the appropriate pro-rated amount of vacation leave hours.

The term “full month of employment as used in this policy is a period of employment from the first day to the last day of a calendar month. Vacation Leave accrual occurs on the first of every month. Regardless of the employee’s hire date, he/she will accrue at his/her normal rate on the next scheduled accrual day after his/her hire date.

An employee who transfers or is promoted from one department to another or from one employee status to another, shall be credited with his/her unused Vacation Leave. Although this employee will now be in a new orientation period in his/her new position, he/she may utilize accrued Vacation Leave (workload and supervisory approval permitting).

Classified employees must give a fourteen (14) calendar day written notice of intent to resign to receive payment for vacation accruals. Employees who do not give appropriate notice will not be paid for accrued unused Vacation Leave. Vacation time may be taken during resignation period
with the approval of the supervisor; however, the last day must be a work day in which the employee is present at the work site.

Vacations are to be scheduled at the convenience of the department or division with due consideration to the employee’s preference, and may be taken in any amount up to the total of the employee’s earned Vacation Leave. Schedules for vacation within a department or division shall be so arranged as to meet the seasonal loads of the department or division and to provide an adequate staff at all times. Vacation Leave must be requested and approved by the supervisor in advance. Vacation Leave should be reported on the employee’s web time entry, time card or a leave request form (exempt employees only).

Vacation time taken will be calculated according to the number of days and hours in the employee’s normal work week. Vacation Leave taken and work hours reported may not exceed normal hours worked in a day.

When a holiday occurs during a Vacation Leave, the holiday will not be considered a day of vacation time.

Sickness occurring during a Vacation Leave period may be changed to Sick Leave upon presentation of a medical certification as to the illness or with the approval of the supervisor.

Employees may utilize Vacation Leave when they are absent from work due to a job related accident or injury providing their Sick Leave balance is exhausted. The employee’s total compensation received from Trinity University and the University’s Workers’ Compensation carrier may not exceed 100 percent of the employee’s normal salary.

An employee may only go into leave without pay (LWOP) if all applicable leaves are exhausted. LWOP is subject to the approval of both the supervisor and Human Resources.

**Holidays**

All regular (non-temporary) Classified Staff employees shall be entitled to those holidays which have been officially authorized by the President of the University. All offices and departments will be closed and employees excused except for necessary operations and emergencies which have been authorized (except as noted in Section 18.5).

A holiday is defined as a period of University paid leave when employees are normally scheduled to be present at the work site. Employees who are absent from work either the day before, the day after a holiday or both days will receive holiday pay provided that absence is due to approved paid vacation or paid sick leave. If an employee is LWOP the day before, the day after a holiday or both days, the employee will not receive holiday pay. 18.3 If an employee works overtime in a week where a holiday falls, the holiday hours will not be counted as hours worked towards the
overtime hours.

When a holiday falls on a weekend, the University will normally observe the holiday on a day before or a day after the holiday.

If it is necessary that a staff employee work on a holiday, the supervisor will initiate a Request for Holiday Work form to be sent before the next payday to the Payroll Office. One of the following options, dependent upon departmental needs and employee preference, will be utilized:

a. The employee may be granted equivalent time off equaling the holiday hours worked with pay in the same work week. This item will be checked on the Request for Holiday Work form and the date of the time off specified if elected. The unit’s copy of the approved form will be retained with the employee’s time card or documented on web time entry.

b. Time equaling the holiday hours worked may be added to the employee’s vacation leave. This item will be checked on the Request for Holiday Work form if it is elected. The unit’s approved copy will be forwarded to Human Resources by the Payroll Office.

c. The employee may be granted additional (double) pay in lieu of time off with pay. The following procedure will apply to effect the additional payment:

Submit a Request for Holiday Work form in advance to the Director for approval. A copy should be forwarded to the Payroll Office. The supplementary holiday hours to be paid will be reported in the Regular Hours column of the biweekly web time entry or time card, and will be paid at the regular rate as long as actual work hours plus holiday hours do not exceed forty (40) hours during the calendar week. Overtime pay (one and one-half (1-1/2) times the regular rate) is paid only for hours in excess of forty (40) work hours plus authorized holiday hours in a calendar week.

Any classified employee required to work Easter Sunday shall be entitled to double pay for those hours worked up to eight (8) hours. All hours worked in excess of eight (8) hours will be paid at the standard rate or as overtime if applicable.

An employee who resigns or is terminated prior to or on a holiday shall not receive compensation for the holiday hours. Compensation for holiday hours requires that the employee must have been scheduled for and available to work that day and that he or she return for at least one (1) work day after the holiday.

**University Short Term Disability Leave**

The University is concerned that an employee's income and/or employment status be protected during extended periods of bona fide disability from performance of normal job responsibilities. To meet such contingencies for comparatively long periods of time, eligible employees may apply for University (Short Term) Disability Leave privileges. University (Short Term) Disability Leave is defined as the continued absence of an employee from work due to an injury, illness or other
disability which is expected to last for at least six (6) months. The University (Short Term) Disability Leave benefit itself, however, will not extend beyond six (6) months from the date the employee ceased to be in an active work status.

A full-time classified employee will accrue University (Short Term) Disability Leave at the rate of forty-four (44) days for each one (1) full year of continuous full-time regular employment. A temporary employee, regardless of work schedule, is not entitled to University (Short Term) Disability Leave. University (Short Term) Disability Leave will accrue to a maximum accrual of 130 days and is paid at 100 percent of base salary.

a. University (Short Term) Disability Leave will begin accrual after the first year of full-time regular employment to a maximum accrual of 130 days.

b. University (Short Term) Disability Leave will accrue only when an employee is in full-paid active status; however, Sick Leave, Vacation Leave, and University (Short Term) Disability Leave will not accrue during periods of University (Short Term) Disability Leave.

c. During periods of approved University (Short Term) Disability Leave, all accumulated Sick Leave and Vacation Leave must be utilized concurrently until exhausted.

d. The term "full year of employment" in this policy is a period of employment of twelve (12) continuous calendar months. The amount of time allowed an employee for University (Short Term) Disability Leave shall be calculated from the first day of employment through a continuous twelve (12) month period of regular employment. Regular employees who have not completed one (1) full year of continuous employment are not eligible for paid University (Short Term) Disability Leave.

e. University (Short Term) Disability Leave will be allowed proportionately for an employee on a continuing regular part-time appointment, provided he/she is employed at least one-half (1/2) time.

f. A classified employee utilizing University (Short Term) Disability Leave as a result of a Workers' Compensation injury or an accident will have University (Short Term) Disability payments reduced by any compensation received from the University's Workers' Compensation Insurance Company. This benefit reduction will correspondingly reduce the balance of the employee's 130 days of University (Short Term) Disability Leave.

In computing the use of University (Short Term) Disability Leave for an employee, holidays shall be counted at 100 percent pay, but will not extend the six (6) month period.

University (Short Term) Disability Leave is to be utilized for injuries, illnesses and/or disabilities which are continuous in nature and are expected to extend for at least six (6) months in duration. Therefore, a physician's statement addressing the nature and anticipated duration of the injury, illness and/or disability will be required prior to approval of the University (Short Term) Disability Leave and periodically thereafter. The University reserves the right to verify diagnosis with another physician of its own choosing and expense.
Employees who have utilized University (Short Term) Disability Leave and returned to full or part-time employment must complete a two (2) year waiting period to qualify for use of University (Short Term) Disability Leave again.

Abuse of the University (Short Term) Disability Leave privilege shall be promptly referred to the Director of Human Resources.

- When a pattern of University (Short Term) Disability Leave used by an employee indicates abuse of the privilege, the supervisor will take appropriate action, as indicated in section 9.
- Unjustified or fraudulent claims of University (Short Term) Disability Leave may result in loss of pay for the period of absence and/or dismissal.

An employee who transfers or is promoted from one department or division to another will be credited with his/her unused University (Short Term) Disability Leave.

When it is apparent that serious illness will result in the use of accumulated leave absences, the Human Resources Office should be contacted for verification of eligibility for Long Term Disability.

The University reserves the right to require a physician's statement certifying the employee's ability to return to full-time unrestricted duty prior to actual return to work.

Upon exhaustion of FMLA, if an employee is unable to return to work, the supervisor may fill his/her position. However, the employee in approved University (Short Term) Disability status will continue to receive this disability benefit through the six (6) month period. Should an employee be released to return to work after the expiration of FMLA, but prior to the expiration of University (Short Term) Disability Leave, he/she may apply for any vacant University position for which he/she qualifies and will be considered along with all other applicants.

University (Short Term) Disability Leave generally will not exceed 130 days in duration, and runs concurrently with all other accumulated FMLA, Vacation and Sick Leave balances.

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**Requirements**

**Approvals:**

VP for Finance and Administration
### Attachments

**Vacation Leave Accrual Chart**

**Vacation Leave Accrual**

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**Sick Leave Accrual Chart**

**Sick Leave**

| All Full-time Employees | 8 hours per month |

### Revision Management

**Revision History Log:**

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<td>8/15/2019</td>
<td>New document</td>
<td>Kelleebeth Cantu</td>
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