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**SACSCOC Standard 6.5**

## Leaves with Pay

### I. Policy Statement and Purpose

In accordance with Athens State University's mission, this policy establishes the types of paid leave available to University employees.

Unless otherwise stated herein, the "leave year" for earning, accruing and using paid leave for exempt employees is September 1 through August 31 and for non-exempt employees is August 16 through August 15.

Unless otherwise stated herein, the "pay period" for exempt employees is the 1<sup>st</sup> through the 31<sup>st</sup> of the month and is the 16<sup>th</sup> through the 15<sup>th</sup> of the month for non-exempt employees.

Unless otherwise stated, full-time employees accrue leave based on a 40-hour work week and for these employees, a "day" of paid leave is equivalent to an eight (8) hour work day.

Unless otherwise stated herein, temporary employees are not eligible to accrue **any** leave with pay.

Unless otherwise stated herein, sponsored program employees (unless otherwise expressly stated in a contract between the University and the sponsored program employee) do not accrue any leave with pay. The specific terms of leave may vary in accordance with the specific project/grant involved.

### II. Annual Leave

**Annual leave is a form of paid leave that is available to executive/senior administrative employees and staff employees, as explained in more detail below.**

#### A. EARNING ANNUAL LEAVE

##### **1. Executive/Senior Administrative Employees**

Executive/Senior Administrative employees, as defined in the [Employee Classifications](#) policy, accrue two (2) days of annual leave per pay period



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## **2. Staff Employees**

### **a. Full-Time Staff Employees**

Full-time staff employees will accrue annual leave each pay period based on their years of experience.

Annual leave accrual is based on years of experience according to the following criteria:

<b>Years of Experience</b>	<b>Annual Leave Earned</b>
0-4	1.00 day per pay period
5-9	1.25 days per pay period
10-14	1.50 days per pay period
15-19	1.75 days per pay period
20-above	2.00 days per pay period

(For example, an eligible University employee with 16 years of experience who works the entire pay period for October, 2018, will earn 1.75 days of annual leave at the end of the October pay period.

A “year of experience” (as used in this policy) shall be a completed year of full-time work experience at one or more of the following: the Department of Postsecondary Education; any public school, college or university in Alabama; or at any combination of the foregoing. A “year” shall be at least nine (9) months of employment out of a twelve (12) month period. A twelve (12) month period shall be that period from September 1 to August 31. With regard to administrative, supervisory, or professional work experience, “full-time” shall mean employment having a normal workweek of forty (40) or more hours. With regard to instructional experience (including experience as a teacher, librarian, or counselor), “full-time” shall mean employment having a normal workweek of thirty-five (35) or more hours or such number of work hours as the respective school district or institution designates as full-time. With regard to work experience as a support employee, “full-time” for the purpose of computing “years of experience” shall mean employment having a normal workweek of twenty (20) or more hours. In order to receive consideration as a “year of experience” for annual leave



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accrual rate purposes, a “year” must be completed on or before August 31 prior to the academic year during which the leave accrual rate shall be applicable.

The number of “years of experience” shall be established and certified by the CHRO/Assistant Vice President of Human Resources based on verified documentation provided by the respective eligible employee. Documentation certified by the previous employer must be presented to the CHRO/Assistant Vice President of Human Resources no later than thirty (30) days after the first date of employment of the respective employee in a position for which annual leave is a benefit. If an employee does not provide verified documentation of all prior work experience subject to consideration with regard to such “years of experience” within thirty (30) days of the first date of employment, then any such work experience not sufficiently documented shall not be considered for annual leave accrual purposes until the ensuing academic year.

***b. Part-Time Staff Employees***

In addition, staff employed part-time at the University for 20-39 hours per week will accrue one day of annual leave per pay period.

***c. Defining a “Day” of Annual Leave for Staff Employees***

A “day” of annual leave with respect to an eligible staff employee depends upon the normally scheduled work hours for that employee, and will be defined as follows:

**Normal Scheduled Work Hours**

20-24 hours per week  
25-29 hours per week  
30-34 hours per week  
35-39 hours per week  
40 hours per week

**Day Equivalency**

1 day = 4 hours per pay period  
1 day = 5 hours per pay period  
1 day = 6 hours per pay period  
1 day = 7 hours per pay period  
1 day = 8 hours per paid period

***3. Rules Applicable to All Eligible Employees That Earn Annual Leave***

- a. Eligible employees earn certain amounts of annual leave upon being in “paid status” with the University one-half the working days of the pay period. Unless otherwise specifically provided, if an employee is not in



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“paid status” for the University during at least one-half of the working days of a pay period, then an employee does not earn any annual leave with respect to that pay period. “Paid status” means that an eligible employee is actually working at his/her job and receiving compensation for that work or on paid leave.

- b. Eligible employees may carry forward up to 60 days of unused annual leave into the new leave year. Any annual leave in excess of 60 days that has been earned, but not used, prior to the beginning of the new leave year shall be lost and the employee shall not be compensated therefor. Annual leave may exceed 60 days during any given leave year; however, annual leave exceeding 60 days earned but not taken by the end of the leave year is forfeited.
- c. If an employee who is in a position that is eligible to accrue annual leave accepts a position that is not eligible to accrue annual leave, (example: staff employee assumes a faculty position) the University will pay the employee for the actual number of annual leave days earned but not used, up to a maximum of sixty (60) days (based on the employee’s salary in effect at the time of the transfer of assignment).
- d. Eligible personnel who have earned annual leave but then leave employment of the University will be paid for the actual number of annual leave days earned and not used, up to a maximum of sixty (60) days. Payment of annual leave will be based on the employee's salary in effect at the time of severance.
- e. Sponsored program employees who earn annual leave pursuant to their contract will be required to use all accrued annual leave prior to the grant’s ending date, or the employee’s termination date. Annual leave earned but not taken by the end of the grant’s ending date or employee’s termination date will be forfeited. Sponsored program employees will not be paid for



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annual leave not taken by the end of the grant's ending date or employee's termination date.

#### **B. USING ANNUAL LEAVE**

Annual leave must be requested and approved in advance by the President or his/her designee (*i.e.*, annual leave must be approved by the University before it may be used by the employee). In deciding whether to allow the requested leave, the President (or designee) may consider the staffing needs of the University, the nature of upcoming University business, the employee's role in pressing University business, and other items related to the work of the University. No employee has a right to use annual leave whenever he/she chooses. Annual leave should not be requested and it will not be approved during times that the University administration deems to be critical periods for the area and University. Moreover, in situations where annual leave has been granted in advance, the University reserves the right to disallow the use of such annual leave where the President determines that unusual conditions require the employee's attendance at work, or the leave was improperly granted.

In situations involving an emergency or unexpected circumstance to persons or property, an employee who desires to use annual leave (and who has no other form of leave that could be used) may use it on a conditional basis. In such unusual cases, the employee must submit his/her request for use of the leave at the earliest moment where the emergency or unexpected circumstance does not interfere with the ability to make the request.

### **III. Court Attendance**

**Certain employees may be afforded paid leave when their attendance is required in civil or criminal court, as explained in more detail below.**

Personnel employed for 20-40 hours per week at the University are eligible for paid leave for civil or criminal court attendance. Eligible employees who are required by a court to attend a court in the capacity of jurors or witnesses under subpoena will be granted special leave with pay to attend the court. In the event that an eligible employee desires to appear as a witness



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on their own behalf, either as a plaintiff or defendant, this form of paid leave is not available and instead, some other form of paid leave (such as annual or personal leave) must be requested and utilized for such purpose.

Court attendance leave must be requested and approved in advance by the President or his/her designee (*i.e.*, court attendance leave must be approved by the University before it may be used by the employee). The employee must request such leave as soon as he/she becomes aware that his/her attendance is required in court.

#### **IV. Military Leave**

**Certain employees may be afforded paid leave when they are members of the military that are called to active duty, as explained in more detail below.**

Personnel employed for 20-40 hours per week at the University are eligible for paid military leave of up to 168 hours per calendar year in the event of being called or ordered to active duty in the United States Armed Forces, including service by a member of the National Guard or Reserve. During the period of time that the employee is using such paid military leave, the respective employee shall continue to accrue all employment benefits, including sick and annual or personal leave, as well as paid medical insurance benefits, as if he or she was working his/her normal work schedule at the University. Once available paid military leave is exhausted, the employee may take available annual or personal leave and continue to receive all employment benefits.

Once the employee has exhausted all available paid leave, the employee may be considered to be on military leave of absence without pay. Employees on unpaid leave of absence do not accrue benefits but may choose to continue health insurance coverage by paying the designated premiums.

#### **V . Bereavement Leave**

**Certain employees may be afforded paid leave for bereavement upon the death of an immediate family member, as explained in more detail below.**

Personnel employed for 20-40 hours per week (not including temporary employees) at the University are eligible for a maximum of three normal workdays of paid bereavement leave upon



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the death of an immediate family member. For the purposes of this policy, “immediate family member” is defined as husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, aunt, and uncle.

Bereavement leave must be approved by the appropriate supervisor. Bereavement leave is non-cumulative and will not be paid on termination or resignation of employment.

## **VI. Personal Leave**

**Personal leave is a form of paid leave that is available to faculty, staff, and executive/senior administrative employees, as explained in more detail below.**

### **A. EARNING PERSONAL LEAVE**

#### **1. Faculty Employees**

Up to five (5) days of personal leave with pay will be granted to each full-time faculty member on the first day of the leave year.

#### **2. Executive/Senior Administrative Employees**

Up to five (5) days of personal leave with pay will be granted to each employee classified as an executive/administrative employee, as defined in the [Employee Classifications](#) policy, on the first day of any given leave year.

#### **3. Staff Employees**

Two (2) days of personal leave with pay will be granted to each staff employee (full-time staff employees, or part-time staff employees employed for 20-39 hours per week) (including librarians) on the first day of any given leave year.

A “day” of personal leave with respect to an eligible staff employee depends upon the normally scheduled work hours for that employee, and will be defined as follows:



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#### **Normal Scheduled Work Hours**

20-24 hours per week  
25-29 hours per week  
30-34 hours per week  
35-39 hours per week  
40 hours per week

#### **Day Equivalency**

1 day = 4 hours  
1 day = 5 hours  
1 day = 6 hours  
1 day = 7 hours  
1 day = 8 hours

#### **4. Rules Applicable to All Eligible Employees that Earn Personal Leave**

- a. Personal leave will be awarded, on a prorated basis, to eligible executive/senior administrative employees and eligible staff employees that are hired after the beginning of the leave year.

Personal leave will also be granted to eligible faculty hired during an academic year. The amount of such personal leave awarded to such eligible faculty, out of a maximum of five days of personal leave, will be based upon the same proportion that the employee's actual number of work days in the academic year rounded to the nearest hour, bears to the number of work days in the academic year.

- b. Personal leave is non-cumulative from leave year to leave year. Eligible employees may not carry forward any days of unused personal leave into a new leave year. *However*, any personal leave that was earned, but not used, prior to the beginning of the new leave year shall be converted to sick leave at the end of the leave year, and added to the employee's balance of paid sick leave.
- c. If an employee who is in a position that is eligible to accrue paid leave accepts a position that is not eligible to accrue paid leave, (for example: a staff employee assumes a temporary position) the employee's accumulated unused personal leave shall be lost/forfeited and the employee shall not be compensated therefor.
- d. Personal leave will not be paid on resignation, termination, or other severance of employment. Upon separation of employment, the employee's accumulated unused personal leave shall be lost/forfeited and the employee shall not be compensated therefor.





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## **B. USING PERSONAL LEAVE**

Personal leave must be approved by the appropriate supervisor (in the case of an employee whose chain of supervision includes the Dean of a college, personal leave must be approved in advance by the Dean of the appropriate College.) A reason for personal leave is not required.

[Procedures for Faculty Leave with Pay](#) will be followed when personal leave is requested by a faculty member.

In deciding whether to allow the requested leave, the appropriate supervisor may consider the staffing needs of the University, the nature of upcoming University business, the employee's role in pressing University business, and other items related to the work of the University. No

employee has a right to use personal leave whenever he/she chooses. Personal leave should not be requested and it will not be approved during times that the University administration deems to be critical periods for the area and University. Moreover, in situations where personal leave has been granted in advance, the University reserves the right to disallow the use of such personal leave where the President determines that unusual conditions require the employee's attendance at work, or the leave was improperly granted.

## **VII. Professional Development Leave**

**Professional/Professional Development Leave is a form of paid leave that may be available to University employees in situations involving training, educational, or professional development experiences that benefit the University, as described in more detail below.**

The University provides ongoing professional development opportunities for employees consistent with the institutional mission. The University supports both career-related and job-related professional development activities. Professional Development Leave is paid leave where an employee is engaging in training, experience, or other educational activity (i) that will significantly enhance the professional credentials or experience of the employee in a manner that is substantially beneficial to the University's educational mission and goals, (ii) that has a value which outweighs the



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value of the work that the employee will not be doing while such leave is ongoing, and (iii) that is outside of the employee's normal, ongoing and expected professional growth.

**Professional development** can be obtained through activities including but not limited to conferences, seminars, and webinars that will assist the employee in performing his/her essential job functions and increase the employee's contribution to the University. To qualify the professional development activities must meet the following criteria:

- Be approved by the employee's supervisor
- Have a primary purpose that clearly benefits and supports the University's mission
- Include documentation that describes how and why the professional development will benefit the University
- Be comprised of elements that is consistent with the duties of the employee's job description.

**Training** is instruction, teaching or other education received by a University employee that is directly related to the employee's job and is designed to enhance the ability of the employee to perform his/her job and results in a professional designation, certification or credential for the employee. As a matter of record and **PRIOR** to attending training, employees will be required to sign a [Training Reimbursement Agreement](#) in order to receive reimbursement for the training. University employees may be granted professional development leave with pay for up to ten (10) days per year at the discretion and upon the approval by the appropriate Vice President. Additional days may be approved by the President in cases where such leave is required by the University. Professional Development activities sponsored by the University are not included in the aforementioned ten (10) days per year.

Upon satisfactory completion of the professional development activity, training and/or coursework, the employee must provide documentation to support completion and payment to receive reimbursement. Professional Development leave is non-cumulative from leave year to leave year. Employees may not carry forward any days of unused professional development leave into a new leave year.

## VIII. Sick Leave



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**Sick leave is a form of paid leave that is available to certain employees in situations related to sickness, injury, or death, as explained in more detail below.**

#### **A. DEFINITIONS**

Sick leave is defined as the absence from regular duty by an eligible employee for one of the following reasons:

- Personal illness or doctor's quarantine;
- Incapacitating physical injury;
- Attendance upon an ill member of the employee's immediate family (parent, spouse, child, foster child currently in the care and custody of the employee, sibling); or an individual with a close personal tie;
- Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle, or aunt);
- Death, injury, or sickness of another person who has unusually strong personal ties to the employee, such as a person who stood in loco parentis;
- Routine medical examinations, dental appointments, eye examinations, etc.; and/or
- The birth of a child.

#### **B. EARNING SICK LEAVE**

##### **1. Faculty Employees**

Each full-time 12-month faculty member shall accrue one day of sick leave per pay period of employment, up to a maximum of twelve (12) days per leave year.

Each full-time nine-month faculty member shall accrue one day of sick leave per pay period of employment, up to a maximum of nine (9) days during an academic year (fall and spring semesters).



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The accrual for sick leave for a full-time (9-month) faculty member employed for the summer semester (June – August) will be as follows:

<b>Summer Teaching Load</b>	<b>Sick Leave Earned</b>
100%	3 days
≥50%	2 days
<50%	1 day

**2. Executive/Senior Administrative Employees**

Full-time executive/senior administrative employees, as defined in [the Employee Classifications](#) policy, earn one day of sick leave per pay period of employment.

**3. Staff Employees**

Full-time staff employees accrue one day of sick leave per pay period of employment.

In addition, all staff employed part-time at the University for 20-39 hours per week will accrue one day of sick leave per pay period.

A "day" of sick leave with respect to an eligible staff employee depends on the normally scheduled work hours for that employee, and will be defined as follows:

<b>Normal Scheduled Work Hours</b>	<b>Day Equivalency</b>
20-24 hours per week	1 day = 4 hours per pay period
25-29 hours per week	1 day = 5 hours per pay period
30-34 hours per week	1 day = 6 hours per pay period
35-39 hours per week	1 day = 7 hours per pay period
40 hours per week	1 day = 8 hours per pay period



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#### 4. Rules Applicable to All Eligible Employees that Earn Sick Leave

- a. Eligible employees earn certain amounts of sick leave upon being in “paid status” with the University one-half the working days of the pay period. Unless otherwise specifically provided, if an employee is not in “paid status” for the University during at least one-half of the working days of a pay period, then an employee does not earn any sick leave with respect to that pay period. “Paid status” means that an eligible employee is actually working at his/her job and receiving compensation for that work or on paid leave.
- b. Any unused balance of sick leave accumulated at the end of the leave year will be carried forward to the next succeeding leave year. An employee may accumulate an unlimited number of sick leave days.
- c. Upon an employee’s separation from the University, sick leave is handled according to the following:

**Retirement:** To the extent permitted by state law, sick leave days are certified as additional service credit to the Alabama Teachers’ Retirement System if the employee is vested. For purposes of applying accrued sick leave as credit for retirement purposes, an employee is limited to a maximum of one sick leave day per month of employment.

**Resignation or Dismissal:** If vested, the employee’s accrued sick leave is certified to the Alabama Teachers’ Retirement System upon separation. If the employee is not vested, a record of his/her final sick leave balance is placed in his/her personnel file. If employee is rehired at a later date, his/her sick leave is reinstated. Accumulated sick leave will not be paid on resignation, termination, or other separation of employment.

- d. Earned sick leave days which have been accrued by an employee may be transferrable from certain employers to others. All earned and unused sick leave days which an employee has accumulated must be transferred in accordance with applicable law.



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- e. Sick leave may be utilized during a contractual period of employment. However, sick leave may not be utilized to extend the employment period beyond the contractual arrangement.

#### **C. USING SICK LEAVE**

Eligible employees may use sick leave in the event of one of the reasons stated above. Employees must certify that sick leave was used for one of the reasons provided above. Reimbursement of pay for the employee per day of sick leave shall be at the daily rate of pay for the employee.

If the President (or his designee) has reasonable cause to believe that the use of the sick leave may not be appropriate (such as where the employee has used five (5) consecutive days of sick leave without any other supporting information), then the President or designee may require that an employee, at his/her expense, furnish a medical certificate by a qualified physician acceptable to the institution, that verifies the existence and nature of the need for the use of the sick leave. Such statements or documentation will be at the employee's expense.

After request for and/or receipt of such documentation from the employee, if the President (or his designee) has reasonable cause to believe that the sick leave usage is being abused, then the President (or his designee) may require a medical opinion by a qualified physician, at the University's expense, verifying the reason for the sick leave absences.

After five (5) days of absence due to illness, within a thirty (30) calendar-day period, the President or designee may require that an employee furnish a medical certificate by a qualified physician acceptable to the institution. This is to be done at the expense of the employee. An employee, who is eligible for Family Medical Leave (FMLA), that is absent due to illness beyond five (5) days, will be placed on Family Medical Leave (FMLA).

Faculty members will follow the [Procedures for Faculty Leave with Pay](#) when sick leave is requested.

Abuse of sick leave may subject the employee to disciplinary action, up to and including termination.



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## IX. On-the-Job Injuries

On-the-job injury leave is a form of paid leave that is available to certain University employees in situations related to on-the-job injuries, as explained in the University's [On the Job Injuries](#) policy.

## X. Holiday Paid Leave

**Holiday paid leave is a form of paid leave where certain employees are paid, but do not work on certain holidays that are identified by the University, as explained in more detail below.**

The President may identify and determine holidays where certain employees are not required to report to work and will utilize holiday paid leave.

Eligible employees (full-time faculty, full-time staff and Executive/Senior Administrative) are eligible for holiday paid leave. In addition, staff employed part-time at the University for 20-39 hours per week are eligible for holiday paid leave.

For eligible employees that work less than 40 hours per week in a normally scheduled workweek, the amount of pay for each day of the holiday paid leave shall be based on the following:

<b>Normal Scheduled Work Hours</b>	<b>Holiday Paid Leave Based on</b>
20-24 hours per week	4 hours
25-29 hours per week	5 hours
30-34 hours per week	6 hours
35-39 hours per week	7 hours
40 hours per week	8 hours

Security officers are not entitled to holiday paid leave. However, security officers who work on an official holiday, designated by "H" on the University calendar, will be paid double their regular rate of pay for the hours they work on the holiday.

Permanent non-exempt employees who are designated as essential and are required by their supervisor to work on recognized holidays when the University is closed will be paid as follows:



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- Straight time equivalent to the employee's regularly scheduled hours, (such as 8 hours, or a pro-rated number if the employee is part-time); *plus*
- Extra straight time OR compensatory time (hour for hour) for all actual hours worked on a day that the University is closed for a holiday.
- For all hours worked in excess of 40 for the work week, overtime rates per the [Overtime and Compensatory Time](#) policy will be applied.

An employee who is on some other form of paid leave during a holiday is granted holiday paid leave in lieu of using the other form of paid leave.

If an employee is on an unpaid leave of absence or leave without pay during the holiday, they will not be granted holiday paid leave for a holiday which occurs during his/her absence.

Employees must work or be on an approved paid leave status on their last scheduled workday before and the first scheduled workday after the holiday in order to qualify for the holiday paid leave.

If the President approves an additional holiday where employees may enjoy paid holiday leave, and makes the announcement in advance of the designated date of the holiday, those employees who are on some other form of paid leave on that holiday are eligible for the paid holiday leave as well. If the President dismisses the employees early for a holiday where employees may enjoy paid holiday leave (i.e., where employees reported to work on the morning of that day, but the President later declared a holiday before the end of the normal workday), then the employees on some other form of paid leave on that holiday are not eligible for the paid holiday leave on that day (i.e., they are not given credit for the hours involved in the early dismissal).





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## **XI. Responsibility for this Operating Policy**

### **Policy Owner**

As part of the initial approval of this policy by the President and subsequent to the original dissemination of the policy, the Vice President for Financial Affairs is the policy owner for the ongoing evaluation, review, and approval of this policy. Subsequent reviews and revisions to this policy must be in accordance with approved operating policy procedures and processes.

This policy will be reviewed every 3 years or more frequently as needed by the Policy Owner. Revisions will be reviewed/affirmed by the Cabinet and approved by the University President. This policy will be updated/published in the University's Policy Library.

### **Responsibility for Policy Implementation**

The President has assigned the responsibility of implementing this policy to the Vice President for Financial Affairs and the CHRO/Assistant Vice President of Human Resources.