
SUBJECT: STAFF PAID LEAVE

1.0 PURPOSE

- 1.1. Paid time off benefits employees by helping them achieve an appropriate work-life balance and to have time for necessary life events. In turn, paid time off Benefits Snow College by helping with employee recruitment, retention and productivity.
- 1.2. A comprehensive Policy regarding paid and unpaid time off helps Employees and Administration know what benefits are offered, how they are accessed and the procedures to ask for, take and approve paid time off.

2.0 DEFINITIONS

- 2.1. Administration Employee: Officers of the administration whose primary responsibilities are management and general business operations including the President, Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, and other administrative employees as designated by the employee's MOU.
- 2.2. Birth and Adoption Leave: Leave provided to an Eligible Employee to care for and bond with a newly born or adopted child or foster child.
- 2.3. Eligible Employees: Regular Staff Members who are defined in their MOU as benefits eligible. Generally, this is a Regular Staff Member who is scheduled to work at least seventy-five percent of a fiscal year which may include nine months of full-time employment.
- 2.4. FMLA Leave: Leave taken in accordance with the Family and Medical Leave Act and College Policy 349.
- 2.5. Human Resources or HR: The office in the College charged with the administration and record maintenance of personnel matter or such other person as may be specially designated by the President to act in regard to this Policy.
- 2.6. Immediate Family: An employee's father, mother, husband, wife, son, daughter, sister, brother, grandchildren, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law.
- 2.7. Immediate Supervisor: The lowest level of salaried supervision of an Employee. The Immediate Supervisor may designate a Line Supervisor or higher level as the Immediate Supervisor for purposes of this Policy.
- 2.8. Leave: Paid or non-paid time off.
- 2.9. Non-Appointment Period: A period of scheduled time off for employees on an 9-, 10-, or 11-month appointment.
- 2.10. Non-exempt Employee: Those employees classified as non-exempt due to FLSA laws and regulations, typically an employee who is not paid a salary and is eligible for overtime pay.
- 2.11. Non-Paid Time Off: Time spent away from regular employment duties for which an Employee does not receive pay but does not result in Job Abandonment.

- 2.12. Paid Time Off: Time spent away from regular employment duties for which an Employee receives pay.
- 2.13. Probationary Regular Staff Member: Regular Staff Members during their initial period in which they are considered in At-will Employment status and under evaluation.
- 2.14. Regular Staff Member: a staff member whose employment is of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by a similar faculty procedure, but excludes Probationary Regular Staff Employees, At-will Employment Employees, Administration Employees, Part-time Staff Employees, Temporary Employees and Adjunct Faculty. Normally, a Regular Staff Member is one assigned to work 75% or more in a position expected to last more than 6 months that is a full-time benefits eligible position and defined as a Regular Staff Member in an employment MOU. May also be referred to as Regular Staff Employee.

3.0 POLICY

- 3.1. The College provides the following types of Leave to Eligible Employees:
 - 3.1.1. Vacation Leave which is Paid Time Off.
 - 3.1.2. Holiday Leave which is Paid Time Off.
 - 3.1.3. Paid Family/Medical Leave which is Paid Time Off.
 - 3.1.4. Birth and Adoption Leave which is Paid Time Off.
 - 3.1.5. Medical Maternity Leave which is Paid Time Off.
 - 3.1.6. Compensatory Time which is Paid Time Off.
 - 3.1.7. Bereavement Leave which is Paid Time Off.
 - 3.1.8. Jury Leave which may be Paid Time Off.
 - 3.1.9. Military Leave which may be Paid Time Off.
 - 3.1.10. FMLA Leave which is not itself Paid Time Off but for which other types of Paid Time Off may be used.
 - 3.1.11. In addition, the College may grant other types of Leave, such as Administrative Leave, which may or may not be Paid Time Off.
- 3.2. Leave must be approved in advance by an Employee's Supervisor and is generally at the discretion of the College, with the exception of FMLA Leave or military leave. Employees will complete a leave request and upon return a Leave report, and supervisors will approve the leave request and report according to procedures established by the Payroll Office.
- 3.3. Upon Termination the College will pay Eligible Employees a lump-sum amount for certain types of leave subject to caps and forfeiture rules on such accrued Leave and subject to usual withholding and offsets as follows:
 - 3.3.1. Unused Vacation Leave is paid out at the Eligible Employee's then rate of pay upon Termination.

- 3.3.2. Employee may not be paid for more than 240 hours of Vacation Leave, except employees who have consecutive service at the college beginning before Jan 1, 2005 will be allowed to receive payout on 240 hours plus what was accumulated during the current calendar year.
- 3.3.3. Accrued Compensatory time will be paid out at the Eligible Employee’s then rate of pay upon Termination.
- 3.3.4. No other leave is eligible for payout at Termination.
- 3.4. Each Eligible Employee is responsible for submitting a monthly leave report according to procedures and deadlines established by the Payroll Office.
- 3.5. An Eligible Employee who will require more than 2 weeks off for the employee’s own medical condition, or to care for an Immediate Family Member, must apply for FMLA Leave and Short-Term Disability Coverage if available. A failure to apply may result in designating the leave as unpaid. If approved, the FMLA Leave and/or Short-Term Disability coverage will run concurrent with Paid Family/Medical Leave and/or Medical Maternity Leave.
- 3.6. This Policy is intended to work in concert with Policy 349: Family and Medical Leave Act Policy and the College’s obligations to reasonably accommodate employees. All employees are entitled to the minimum protections granted by law by the FMLA and applicable disability law and this Policy shall be interpreted and applied consistent with those protections. Employees are not eligible to use leave while on a Non-Appointment Period.

4.0 VACATION LEAVE

- 4.1. Eligible Employees shall be granted vacation leave each month based on their years/months of Service according to the following schedule. If an Employee is employed less than 100% FTE, that Employee’s Vacation Leave is calculated based on the percentage of full-time that they are scheduled to work (using 2080 hours per year as 100% full-time), the most common examples of which are listed here.

Service	Vacation Leave Hours earned per month of 100% FTE*	Vacation Leave Hours earned per month of 92% FTE*	Vacation Leave Hours earned per month of 83% FTE*	Vacation Leave Hours earned per month of 75% FTE*
0-6 months	8.00 hours/month	7.36 hours/month	6.64 hours/month	6.00 hours/month
7-36 months	10.00 hours/month	9.20 hours/month	8.30 hours/month	7.50 hours/month
3-6 years	12.00 hours/month	11.04 hours/month	9.96 hours/month	9.00 hours/month

More than 6 years	14.67 hours/month	13.50 hours/month	12.18 hours/month	11.00 hours/month
<p>*FTE is calculated as percentage of the amount an employee is scheduled to work compared to a full-time schedule of 2080 hours/year. For example:</p> <p>11-month appointment = 92% FTE</p> <p>10-month appointment = 83% FTE</p> <p>9-month appointment = 75% FTE</p>				

- 4.2. The maximum accrual of unused vacation that can be carried forward to the new calendar year shall not exceed 240 hours. Hours beyond this are forfeited, and not paid out, at the beginning of each calendar year. Vacation time is earned by the month and granted on the last day of a month.
- 4.3. Positions funded by special grants and programs may not carry forward any vacation leave beyond the end of each fiscal year and are not eligible for payout upon Termination or the ending of the grant or program.
- 4.4. When an employee terminates and then is rehired after 365 days, Vacation Leave is accrued on the same basis as a newly hired Employee; no credit is given for prior College service.
- 4.5. Employees hired on or before the 15th of the month shall accrue vacation for that month. Employees hired on or after the 16th day of the month shall begin vacation accrual in the following month.
- 4.6. Employees in a "leave without pay" status shall not accrue Vacation leave during that period.
- 4.7. Employees do not accrue Vacation Leave if they are terminated before the 15th of the month.
- 4.8. Employees should plan to take their Vacation Leave each year.
- 4.9. Employees who transfer to Snow College from another institution in the state system of higher education will retain their accumulative service credits for the purpose of calculating their accumulating vacation benefits earned while employed at Snow College.

5.0 HOLIDAY LEAVE

- 5.1. Eligible Employees are entitled to nine holidays plus up to three additional days as declared by the President of Snow College (generally falling during the break between fall and spring semester). The following days are holidays for which Paid Time Off is granted:
 - 5.1.1. New Year's Day – January 1

- 5.1.2. Martin Luther King Jr. Day – Third Monday in January
- 5.1.3. Presidents Day – Third Monday in February
- 5.1.4. Memorial Day – Last Monday in May
- 5.1.5. Independence Day – July 4
- 5.1.6. Pioneer Day – July 24
- 5.1.7. Labor Day – The First Monday in September
- 5.1.8. Thanksgiving Day – The Fourth Thursday in November
- 5.1.9. Christmas Day – December 25
- 5.2. If an Employee is required to work on a Holiday, 8 hours of Paid Time Off may be taken on another day as approved by their Supervisor.
 - 5.2.1. A holiday falling on a Saturday will be observed the previous Friday. A holiday falling on a Sunday will be observed the following Monday.

6.0 PAID FAMILY/MEDICAL LEAVE

6.1. Eligibility and Accrual

6.1.1. Eligible Employees shall be granted Paid Family/Medical Leave each month at the rate of 8 hours/month for 100% FTE. If an Employee is employed less than 100% FTE, that Employee’s Paid Family/Medical Leave is calculated based on the percentage of full-time that they are scheduled to work (using 2080 hours per year as 100% full-time), the most common examples of which are listed here.

Paid Family/Medical Leave hours earned per month of 100% FTE*	Paid Family/Medical Leave hours earned per month of 92% FTE*	Paid Family/Medical Leave hours earned per month of 83% FTE*	Paid Family/Medical Leave hours earned per month of 75% FTE*
8.00 hours/month	7.36 hours/month	6.64 hours/month	6.00 hours/month
*FTE is calculated as percentage of the amount an employee is scheduled to work compared to a full-time schedule of 2080 hours/year. For example: 11-month appointment = 92% FTE 10-month appointment = 83% FTE 9-month appointment = 75% FTE			

- 6.1.2. Maximum accumulation of Paid Family/Medical leave will be 1,040 hours.
- 6.1.3. Employees hired on or before the 15th day of the month, shall accrue Paid Family/Medical leave for that month. Employees hired on or after the 16th day of the month, shall begin Paid Family/Medical Leave accrual in the following month.
- 6.1.4. Employees do not accrue Paid Family/Medical Leave if they are terminated before the last day of the month.
- 6.2. Use of Paid Family/Medical Leave
 - 6.2.1. Paid Family/Medical Leave is a privilege afforded by the College and may only be used when an employee has an illness or injury, an employee is required to care for a spouse, parent, son, or daughter including a step and/or foster son or daughter due to illness or injury, or for absences otherwise protected by the Family and Medical Leave Act and/or Policy 349 – Family and Medical Leave Act (FMLA).
 - 6.2.2. Paid Family/Medical Leave may also be used for dental or doctor visits with a qualified dentist or medical practitioner.
 - 6.2.3. Employees who are ill or injured shall report the absence to their supervisor as soon as possible.
 - 6.2.4. Employees who miss three or more days because of an illness or injury must, upon request from Human Resources, provide a physician's statement confirming the illness or injury.
 - 6.2.5. When employees have exhausted all leave, they are in a leave without pay status. Benefits will continue if applicable under the FMLA Policy 349. Employees will not accrue vacation or Paid Family/Medical Leave while in leave without pay status. Leave without pay status is not a right and termination proceedings may occur.
 - 6.2.6. Employees eligible for and using FMLA leave must first use accrued Paid Family/Medical Leave and then accrued Vacation Leave, (See Policy 349 Family and Medical Leave Policy).
- 6.3. Paid Family/Medical Leave Conversion to Vacation:
 - 6.3.1. Employees who have accrued more than 520 hours of Paid Family/Medical Leave may convert up to 32 hours of Paid Family/Medical Leave to the following year's Vacation Leave by following the procedures established by the Human Resources office once a year.
 - 6.3.2. Conversion of Paid Family/Medical Leave to Vacation Leave in a given year will not be granted to an employee who has used more than 40 hours of Paid Family/Medical Leave in that year.
 - 6.3.3. Paid Family/Medical Leave converted to Vacation Leave will be included in the maximum accrual balances for Section 3.3.2 and Section 4.2
- 6.4. Paid Family/Medical Leave Pool:

- 6.4.1. Snow College provides a Paid Family/Medical Leave pool for eligible employees who suffer a catastrophic illness, injury, impairment, or physical or mental condition which requires hospitalization and/or convalescence or recuperation in an extended care facility or at home while under the care of a licensed health care provider.
- 6.4.2. Paid Family/Medical Leave Pool Eligibility
 - 6.4.2.1. All employees who are past their initial six months of employment and eligible to accrue Paid Family/Medical Leave may apply to use Paid Family/Medical Leave from the Paid Family/Medical Leave pool subject to the other provisions of this policy.
 - 6.4.2.2. Employees must first exhaust all accrued vacation and Paid Family/Medical Leave prior to the use of the Paid Family/Medical Leave pool.
 - 6.4.2.3. An employee is eligible for a maximum of 60 calendar days granted in 30 day increments for each catastrophic health condition unless the medical certification indicates that less than 30 days is necessary.
 - 6.4.2.4. An employee does not have to contribute to the pool in order to apply to use leave from the pool. Employees granted leave from the pool are not required to pay back the time.
- 6.4.3. Contribution of Time
 - 6.4.3.1. To contribute Paid Family/Medical Leave to the Paid Family/Medical Leave pool, an employee must notify Human Resources.
 - 6.4.3.2. The employee must have a minimum balance of 144 hours Paid Family/Medical Leave before a contribution can be made. An employee may transfer to the pool 8, 16 or 24 hours of their accrued Paid Family/Medical Leave each fiscal year at any time during a fiscal year.
 - 6.4.3.3. Employees may not designate a specific person to receive their contribution.
 - 6.4.3.4. Terminating, retiring, and early retiring employees meeting the criteria will have 10 percent of their balance of Paid Family/Medical Leave contributed to the pool upon separation from the college.
 - 6.4.3.5. Contribution of leave to the pool will not affect the eligibility of an employee under the Paid Family/Medical Leave conversion provisions of the Paid Family/Medical Leave Policy.
- 6.4.4. Withdrawal of time from the Pool
 - 6.4.4.1. Employees eligible for family medical leave under Policy 349 must apply for FMLA before withdrawal from the pool is considered.

- 6.4.4.2. Employees covered by Short Term Disability insurance must submit a claim for STD, if eligible, before withdrawal from the pool is considered.
- 6.4.4.3. An eligible employee or his/her designee may apply, in writing, to the pool administrator through Human Resources for permission to draw time from the sick leave pool. Employees are ineligible to use this policy and procedure if they are receiving or have applied to receive workers' compensation benefits.
- 6.4.4.4. Applications to use pool leave will be processed on a first-come, first-served basis.
- 6.4.4.5. Medical documentation must be attached to the application unless current documentation has already been provided to Human Resources.
- 6.4.4.6. Failure to make application as soon as the need is foreseeable, or to provide supporting medical documentation may result in the denial of use of the Paid Family/Medical Leave pool, it will not be granted retroactively.
- 6.4.4.7. An eligible employee may not draw time from the Paid Family/Medical Leave pool in an amount that exceeds the lesser of one-third of the total amount of time in the pool or 30 calendar days.
- 6.4.4.8. The pool administrator will review the application and supporting medical documentation. If the employee is eligible to participate and the absence has been approved in accordance with college procedures, the pool administrator will approve the application and notify the employee and supervisor. If the application is not approved, the employee will be advised of the reason.
- 6.4.4.9. The employee may use Paid Family/Medical Leave assigned from the pool in the same manner as accrued Paid Family/Medical Leave and shall be treated in the same manner and shall be entitled to accrue the same benefits as an employee who uses accrued Paid Family/Medical Leave.
- 6.4.4.10. If the employee receives a medical release for return to work on a part-time basis (either fewer hours per day or fewer hours per week than the employee's regular schedule), the employee may continue to receive and use pool leave, up to its maximums, for the balance of the regular work schedule until the sooner of being medically released for full duty or exhaustion of their pool leave. In this instance, pool leave may be used and will be paid only for the difference between the employee's temporarily reduced work schedule and the employee's regular schedule.
- 6.4.4.11. When an employee using Paid Family/Medical Leave pool hours returns to full duty, any unused hours revert to the pool.

6.4.4.12. If the employee does not return to work, the employee does not owe the college for Paid Family/Medical Leave pool hours used nor will the college pay the employee for any pool hours remaining.

6.4.4.13. Human Resources shall develop procedures as necessary to implement this Policy and may limit pool leave as necessary for financial reasons of the College.

7.0 BIRTH AND ADOPTION LEAVE

- 7.1. An Employee is eligible for Birth and Adoption Leave of 80 hours if the Employee is an Eligible Employee and becomes a legal parent due to the birth or adoption of a child or the placement of a foster child and meets the other requirements of this Policy.
- 7.2. No other employees, including Part-Time Staff Members, Temporary Employees, or Adjunct Faculty, are eligible for Birth and Adoption Leave.
- 7.3. Birth and Adoption Leave may be used only for the Eligible Employee's own child, it cannot be used for grandchildren or other children even if an Eligible Employee is a de facto parent or legal guardian to that child.
- 7.4. The employee should give their Immediate Supervisor at least 30 days' notice of their intent to take Birth and Adoption leave when possible. Failure to provide 30 days' notice may result in the employee's request for birth and adoption leave being denied.
- 7.5. Birth and Adoption Leave is offered in addition to any other leave available to the employee.
- 7.6. Birth and Adoption Leave may not be used before the birth or actual adoption of a child. Other leave may be used before or after the birth if the employee qualifies under the FMLA or other College leave policies but Birth and Adoption Leave is intended to provide extra time to bond and care for a newborn or adopted or foster child so it must be used only after the birth, adoption or placement.
- 7.7. Birth and Adoption Leave may be used for 10 consecutive working days or on an intermittent basis as agreed upon in writing with the Immediate Supervisor.
- 7.8. Birth and Adoption Leave must be used within 30 calendar days of the birth, adoption or placement of a child.

8.0 MEDICAL MATERNITY LEAVE

- 8.1. When an Eligible Employee gives birth, if the employee is disabled due to pregnancy or birth the employee may request up to an additional 31 consecutive calendar days of paid leave if the employee is disabled due to pregnancy related conditions or birth. This leave is in addition to leave provided for Birth and Adoption Leave which is provided for bonding regardless of disability. This leave is counted as FMLA leave.
- 8.2. This Leave is granted so that an Eligible Employee may have extra time off due to pregnancy or the birth of a child when those cause a temporary disability. Calendar days are used to recognize that this leave is to be used during the

pregnancy or after the birth during a consecutive period even if that time period occurs when an Eligible Employee would not normally work due to weekends, college holidays, etc.

8.3. Whether the Eligible Employee is “disabled” will be determined in accord with the standards provided by the FMLA and state and federal laws, rules and regulations regarding disabilities. To qualify, the Eligible Employee must submit the necessary FMLA paperwork to Human Resources.

8.4. This leave does not preclude seeking additional reasonable accommodations, such as leave, or remaining FMLA leave in accord with disability and FMLA law, rules and regulations.

9.0 COMPENSATORY TIME

9.1. Non-Exempt Employees may be asked to receive Compensatory Time in lieu of overtime payment.

9.2. Exempt Employees may receive Compensatory Time according to state and federal law as further explained in the Procedures to this Policy.

9.3. Compensatory time must be used before Vacation Leave.

9.4. While Compensatory Time may be used only with approval, Supervisors should make every reasonable effort to accommodate requests to use Compensatory Time. Supervisors should only deny a request to use compensatory time if they reasonably and in good faith anticipate that it would impose an unreasonable burden on the College’s ability to provide services of acceptable quality and quantity for the public during the time requested without the use of the employee’s services.

10.0 BEREAVEMENT LEAVE

10.1. Employees are granted 24 hours of Bereavement Leave in the event of death of an Immediate Family member.

11.0 JURY LEAVE

11.1. Eligible Employees necessarily absent from work in compliance with an official requirement to appear for jury service will receive Paid Time Off.

11.2. This allowance covers only time while actually engaged in jury service and reasonable travel time.

11.3. The employee may be asked to provide proof that they actually served on a jury by providing a copy of the pay stub provided by the state for jury pay. A jury summons is insufficient to prove that the employee actually served.

12.0 MILITARY LEAVE

12.1. *Training Leave.* Employees who are members of military reserve units of the U.S. Armed Forces or the National Guard, who are required to attend annual training sessions, will be granted up to fifteen (15) work days of leave with pay each fiscal year while on such training duty. Such leave will be in addition to any annual leave entitlement. Employees shall notify their supervisors in advance of such leaves in order to permit proper scheduling of

the workload. Employees requesting such leave are required to provide a copy of their orders to the Human Resources Office before the leave will be granted.

- 12.2. *Active Duty.* Employees who are called to active duty will be treated according to State Code. Medical benefits will continue until the College is notified that military insurance has been activated. Employees requesting such leave are required to provide a copy of their orders to the Human Resource Office before taking leave.
- 12.3. Supervisors shall keep an accurate accounting of military leave taken by subordinate employees and shall forward a copy of this report to the Human Resource Office.