

Academic and Other Non-Classified Employees Leave Policy	Procedure Number	UA-PTC AR 420.1.1
	Effective Date	1-1-19

1.0 PURPOSE

1 This Administrative Rule sets forth the expectations for the accrual and use of leave by academic and non-classified
2 employees.

2.0 REVISION HISTORY

3 Adopted on:
4 Revised on:
5 Supersedes: BP 2.51 Vacation for Administrative and Classified Staff, BP 2.52
6 Sick Leave, 2.53 Leave of Absence, 2.54 Legally Required Absences

3.0 PERSONS AFFECTED

7 Academic and other Non-Classified Employees

4.1 PROCEDURE

1. Sick Leave Policy:

8 All full-time appointed employees earn sick leave at the rate of eight hours per month with a maximum of 960
9 hours accrual. Sick leave accrues only when an employee is in a paid status and does not accrue while an
10 employee is on leave without pay. Paid sick leave is not granted as vacation but is permissible only when
11 illness or injury to the employee causes absence from his/her work or if conditions require appointment with
12 a physician, dentist, optometrist, chiropractor, or osteopath. Sick leave may also be granted to an employee
13 due to the death or serious illness of a member of the employee’s immediate family. Immediate family shall
14 mean the father, mother, sister, brother, husband, wife, child, grandparents, in-laws, or any individual acting
15 as a parent or guardian of an employee. Employees who are absent from the campus for the entire day
16 should submit eight (8) hours of leave within two days of their return to work.

17 Absence due to illness or disability, except in case of maternity leave, is charged in the following order:

- 18 1. Earned sick leave
- 19 2. Earned annual leave
- 20 3. Leave without pay

21 Employees utilizing sick leave are required to contact their supervisor a minimum of one hour prior to the
22 start of their shift to ensure continuity of business operations. Employees who miss multiple days must
23 contact their supervisor each day or otherwise notify their supervisor of their intent to be out.

24 Sick leave is not a substitute for annual leave. Employees should work with their supervisors to schedule their
25 foreseeable medical appointments in a manner that will not impede the department’s ability to meet their
26 educational mission.

27
28 UA-PTC may require a statement from a physician or other acceptable proof that a health condition or
29 medical appointment has rendered the employee unable to work on a specific day or at a particular time.

30 Such documentation will be required whenever an employee uses sick leave under one of the following
31 conditions:

- 32 1. When an employee is absent from work for more than three consecutive days;
- 33 2. When an employee has a consistent pattern of maintaining a zero or near-zero balance of sick leave
34 without documentation of the need for such relatively high utilization;
- 35 3. When an employee has a consistent pattern of using sick leave on Mondays, Fridays, before holidays,
36 or after holidays;
- 37 4. When an instructor has a consistent pattern of using a partial day of sick leave and seeking to apply
38 sick leave to those times when the instructor is scheduled to teach, hold office hours, or attend
39 meetings;
- 40 5. When an employee has six or more occurrences of undocumented sick leave usage within a 12-month
41 period. Sick leave that is certified in accordance with this policy shall not be considered as an
42 occurrence.

43 An employee's abuse of sick leave or failure to provide the required documentation under this policy can be
44 grounds for discipline. The medical documentation required under this policy may be limited to the following
45 information: (1) the date on which the employee was seen (if any); (2) whether an absence was medically
46 necessary; (3) whether alternative appointment times, which might accommodate an instructor's teaching
47 schedule and other on-campus duties, were available; (4) the date on which the employee will be able to
48 return to work; and (5) any workplace restrictions that might be medically necessary.

49 An absence that exceeds three days may be covered under the Family Medical Leave Act. The medical
50 documentation required under this sick leave policy is not necessarily identical to the Physician's Certification
51 that is required for qualifying FMLA leave. The medical documentation described in this policy will not be
52 requested when an employee uses FMLA leave (including intermittent leave) following the initial certification
53 process; however, UA-PTC reserves the right to use the FMLA's recertification process. Employees are urged
54 to consult the Employee Handbook or confer with the office of human resources regarding any questions they
55 may have regarding leave under the FMLA or as a reasonable accommodation under the Americans with
56 Disabilities Act.

2. Annual Leave:

57 Employees whose titles are listed in the appropriations act as twelve (12) month non-classified positions will
58 receive 22.5 days of paid vacation from the on-set of employment, earned at a rate of 15 hours per month.
59 While administrative duties cannot be limited to a five-day, forty-hour week, for purposes of annual leave the
60 normal work week shall be considered Monday through Friday.

61 Vacation shall not be taken before it is earned, but must be taken within twelve months after the close of the
62 calendar year in which it is earned. An exception may be made when a vacation is postponed for the
63 convenience of the College.

64 Vacation benefits are granted to all full-time, benefits eligible non-classified employees and academic
65 employees on a twelve-month appointment.

66 An employee whose period of employment is scheduled to be changed from a twelve-month basis to a nine-
67 month basis must take all accrued, unused vacation before the end of the twelve-month period. An
68 employment period shall not be extended for the purpose of paying an employee for their unused vacation,
69 and neither shall a lump-sum terminal payment be made unless an employee terminates employment with
70 the College.

71 Annual leave is cumulative; however, no employee may have in excess of 30 days on December 31 of each
72 year. During the calendar year accrued leave may exceed 30 days, but those days in excess of 30 will be lost if
73 they are not used prior to December 31 of each year. Use of accrued annual leave may be requested by an
74 employee at any time, but should be completed prior to the employee's absence and coordinated with their
75 supervisor. It is the employee's responsibility to monitor their leave balances to ensure leave is not lost. The
76 appropriate supervisor will grant the leave request when it will least interfere with the efficient operation of
77 the department.

78 Annual leave may not be accumulated while an employee is on leave without pay.

79 Upon termination, resignation, retirement, death or other action by which a person ceases to be an active
80 employee of the College, the amount due the employee or his/her estate from accrued annual leave or
81 holiday leave, not to exceed 30 working days inclusive of holidays, shall be included in the final pay to the
82 employee. No employee receiving such additional compensation shall return to College employment until the
83 number of days for which he/she received additional compensation has expired.

84
85 Personal leave is not available for UA-PTC faculty members.

86 3. Military Leave:

87 Twelve month employees who are members of the National Guard or any of the Reserve branches of the
88 Armed Forces of the United States shall be granted a maximum of two weeks leave annually plus necessary
89 travel time for annual training requirements. Such leave shall be granted without loss of pay and in addition
90 to regular vacation time. Nine-month academic employees are expected to take any two weeks military leave
91 during the three months they are not under contract to the College. Each employee who requests military
92 leave shall furnish a copy of his/her orders to the appropriate vice chancellor. An employee who is drafted or
93 called to active duty in the Armed Forces of the United States or who volunteers for military service shall be
94 placed on extended military leave without pay and upon application within the time period provided in 43
95 U.S.C. § 4312 shall be reinstated to the position vacated or to an equivalent position at no loss of seniority or
96 any of the other benefits and privileges of employment to the extent required by state and federal law.

97 Military personnel called to duty in emergencies by the Governor or by the President of the United States
98 shall be granted leave with pay not to exceed 30 working days after which leave without pay will be granted.
99 This leave shall be granted in addition to regular time.

4. Court and Jury Leave:

A. Jury Service

100 A college employee serving as a juror in state or federal court shall be entitled to full compensation in
101 addition to any fees paid for such services, and such services or necessary appearances in any court shall not
102 be counted as annual leave.

103
104 In cases where service as a witness can be handled by having the involved attorney take a deposition or
105 statement, it is preferred. Depositions or statements which involve the University may be taken during duty
106 hours. All others should be handled as off-duty time.

107 Employees who are accepted by the court as expert witnesses and paid a fee in excess of the normal witness
108 fee shall take annual leave for the time required for such testimony. Where service on a jury would

109 substantially interfere with the execution of the college work schedule, the Chancellor may petition the judge
110 in writing for exemption from service. However, if exemption is denied or if no response is received prior to
111 the date jury duty is to begin, the individual must report for jury duty.
112

113 An employee who is summoned to serve on jury duty shall not be subject to discharge from
114 employment, loss of sick leave or vacation time, or any other form of penalty as a result of her/his
115 absence from employment due to such jury duty, upon giving 24 hour written notice to their supervisor
116 and Human Resources.
117

118 B. Service as a witness

119 If a College employee is subpoenaed as a witness to give a deposition testimony in a state or federal court, at
120 a hearing, or before a body with the power to issue a subpoena, then the College employee is:

- 121 1. Entitled to his or her salary if the employee is a witness in a matter that is within the scope of the
122 employee's College employment. In addition, the employee to his or her salary if the employee is a
123 witness in a matter that is outside the scope of the employee's College employment and the
124 employee is not serving as a paid expert or is not a party to the matter.
- 125 2. Required to take annual leave to attend the deposition, hearing, or appear in court only if the matter
126 is (A) outside the scope of the employee's College employment and (B) the employee is either (i)
127 serving as a paid expert witness or (ii) a party to the matter.
- 128 3. Entitled to retain any witness fees that may be tendered to him or her under state or federal law or
129 court rules only if the matter is (A) outside the scope of the employee's College employment or (B)
130 the employee is a party to the matter other than as a representative of the College.
- 131 4. Entitled to retain any mileage fees that may be tendered to him or her under state or federal law or
132 court rules if the matter is (A) within the scope of the employee's College employment and the
133 employee uses a personal vehicle for travel in obeying the subpoena and the College does not
134 reimburse the employee for travel expenses or (B) outside the scope of the employee's College
135 employment for travel in obeying the subpoena.
- 136 5. Allowed to retain any witness and mileage fees tendered to him or her if the state employee is
137 subpoenaed to appear on a non-work day.
138

139 If a campus law enforcement officer is subpoenaed to appear at a time when the officer is not scheduled for
140 regular duty, the officer shall be entitled to retain any mileage fees tendered to the officer.
141

142 Employees who work night shifts are required to serve in court during the day or are subpoenaed as a witness
143 to give a deposition in a court or hearing, not involving personal litigation or service as a paid witness outside
144 the scope of College employment, shall be allowed to take court and jury leave on the night shift of the day
145 on which they served.
146

147 5. Leave of absence without Pay:

148 The Chancellor may grant an employee's written request for a leave-of-absence without pay not to exceed
149 one year unless granted in accordance with the provision for military leave. In appropriate cases, additional
150 unpaid leave will be considered as a form of reasonable accommodation for qualified individuals with
151 disabilities on a case-by-case basis. Leave without pay is not to be granted, except in the case of maternity
152 leave, until all of the employee's accumulated annual leave has been exhausted, and any employee on leave-
153 of-absence without pay does not accumulate annual leave nor participate in the group insurance programs to
154

155 which the College makes a contribution nor receive pay for any legal holidays. An employee may continue
 156 with the insurance programs by paying the entirety of those costs provided that arrangements have been
 157 made in advance with the Human Resources office to assume full payment of the premium costs.

158 Employees who do not report to work because of inclement weather conditions may elect to use leave
 159 without pay" in lieu of "annual leave" with approval from their supervisor. Absences due to inclement
 160 weather will be treated as an "excused absence."

161 The employee must use all of their accumulated annual leave before taking leave without pay, except when
 162 the leave qualifies as maternity leave, certain types of military leave, when the leave is for disciplinary
 163 purposes, or for absences due to inclement weather. The employee will not earn annual leave or sick leave if
 164 they are on leave without pay for ten or more days during a calendar month. The employee will not be paid
 165 for official University holidays while on leave without pay.

166 When the employee is on leave without pay, she/he may continue to participate in the University's group
 167 insurance programs. However, the employee must pay the total cost (the individuals' part and the
 168 University's matching part) of her/his coverage for any month when they are on leave without pay for ten or
 169 more consecutive days. For those benefits provided by the University, with no employee contribution (basic
 170 life insurance and long-term disability insurance), she/he must pay the amount of the University's
 171 contribution or risk loss of coverage, except when those benefits are protected by FMLA regulations.

172 If the employee fails to report to work promptly at the end of an agreed-upon period of leave without pay,
 173 employment with the college may be terminated. If there is good reason for the delay, the College may
 174 extend your period of approved leave. The Chancellor and the President must approve the extension if it
 175 causes your total leave to exceed one year.

REQUIRED APPROVALS	NAME/SIGNATURE/TITLE	DATE
Originator(s):	UA-PTC Policy Review	Oct, 2018
Ratified by:		
Recommended by Chancellor (Signature)	Margaret Ellibee	Dec, 2018
UA Aligned Policy: 420.1		