

Exempt & Non-Exempt Employees Leave Policy	Procedure Number	420.1.1
	Effective Date	February 27, 2026

1.0 PURPOSE

This Administrative Rule sets forth the expectations for the accrual and use of leave by exempt and non-exempt employees.

2.0 REVISION HISTORY

Adopted on: October 2018
 Revised on: Jan 29, 2026
 Supersedes: UAPTC policies 420.1.1 and 420.1.1

3.0 PERSONS AFFECTED

Exempt and Non-Exempt Employees

4.0 DEFINITIONS

Exempt employee - one who is exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA). Exempt employees are typically paid on a salary basis, meet the minimum salary threshold, and perform job duties that fall under exempt categories such as executive, administrative, professional, or certain computer-related roles. Exempt employees are not eligible for overtime pay, regardless of the number of hours worked beyond 40 in a workweek.

Non-exempt employee - one who is covered by the FLSA’s minimum wage and overtime requirements. Non-exempt employees must be compensated for all hours worked and are entitled to overtime pay at one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. These positions are typically hourly, but may also include certain salaried roles that do not meet the FLSA’s exemption criteria.

5.0 PROCEDURE

1. Sick Leave Policy:

All full-time appointed employees earn sick leave at the rate of eight hours per month with a maximum of 960 hours of accrual. Sick leave accrues only when an employee is in a paid status and does not accrue while an employee is on leave without pay. Paid sick leave is not granted as vacation but is permissible only when: (1) the employee is unable to perform the employee’s regular duties because of sickness or injury, or (2) for treatment by or consultation with a licensed health care provider, or (3) to bond with the employee’s child (including an adopted child) or child placed for foster care within 12 months following a birth, adoption, or placement for foster care. Up to 5 days of sick leave may also be granted to an employee due to the death or serious illness of a member of the employee’s immediate family. Immediate family shall mean the father, mother, sister, brother, husband, wife, child, grandparents, in-laws, or any individual acting as a parent or guardian of an employee. Employees who are absent from the campus for the entire day should submit eight (8) hours of leave within two days of their return to work.

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

1. Earned sick leave
2. Earned annual leave
3. Leave without pay

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

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

1. UA-PTC may require a statement from a physician or other acceptable proof that a health condition or medical appointment has rendered the employee unable to work on a specific day or at a particular time.
2. When an employee is absent from work for more than three consecutive days, Workday will notify Human Resources of three consecutive days of absence and Human Resources will send FMLA documents to the employee in the event the employee will need to take additional sick leave;
3. The employee will be required to provide a physician's note for five or more days of consecutive absences.
4. Acceptable documentation of a birth, adoption, or placement for foster care may be required for bonding time;
5. When an employee has a consistent pattern of maintaining a zero or near-zero balance of sick leave without documentation of the need for such relatively high utilization;
6. When an employee has a consistent pattern of using sick leave on Mondays, Fridays, before holidays, or after holidays;
7. When an instructor has a consistent pattern of using a partial day of sick leave and seeking to apply sick leave to those times when the instructor is scheduled to teach, hold office hours, or attend meetings.

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

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

Bonding with a Child

The use of sick leave to bond with a child may only be used concurrently with Family and Medical Leave when an employee is eligible for FMLA. An employee who is not eligible for FMLA because the employee has not worked for the College for at least 12 months may use sick leave to bond with a child; acceptable documentation of a birth, adoption, or placement for foster care may be required.

When an employee takes Family and Medical Leave for the birth or adoption of a child or placement of a child for foster care, the employee may use any combination of accrued sick leave, annual leave, or leave without pay that the employee designates. Upon return from leave the employee will be given the same or comparable position to the one occupied prior to the leave. The employee is expected to provide the employee's supervisor as much notice as possible prior to beginning leave to bond with a child, and at least two weeks' notice prior to returning to work from leave to bond with a child. Both notices must be in writing.

2. Annual Leave:

Eligible exempt and non-exempt employees hired on or moved into their positions before January 1, 2025, shall be credited with their eligible time of service and thereafter accrue annual leave as provided in the annual leave schedule found below.

Years of Eligible Employment	Monthly Accrual
Through the first year	10 hours per month
Through the second and third years	12 hours per month
Through the fourth and fifth years	14 hours per month
Upon completion of the fifth years	15 hours per month

An employee whose period of employment is scheduled to be changed from a 12-month basis to a 9-month basis may, within the UA Board Policy 420.1 Section IV guidelines, take all accrued, unused vacation before the end of the 12-month period, or, within the carryover limits, may reserve accrued annual leave hours for payout upon termination of employment. Payment for any reserved accrued hours shall be based upon the lesser of the salary on the date of the last hour accrued immediately prior to the change from a 12-month basis to a 9-month basis or the salary at the time of termination of employment. An employment period shall not be extended for the purpose of paying an employee for unused vacation, and neither shall lump-sum terminal payment be made unless an employee terminates employment with the College.

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

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

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

Upon termination of employment in which a person ceases to be an active employee of the College, the amount due to the employee or the employee's estate from accrued annual leave and holiday leave, shall be included in the final pay to the employee or distributed to the employee's estate upon verification per UA Board Policy 420.1 section VIII.

3. Military Leave:

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

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

4. Court and Jury Leave:

A. Jury Service

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

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

Employees who are accepted by the court as expert witnesses and paid a fee in excess of the normal witness fee shall take annual leave for the time required for such testimony. Where service on a jury would substantially interfere with the execution of the college work schedule, the Chancellor may petition the judge in writing for exemption from service. However, if the exemption is denied or if no response is received prior to the date jury duty is to begin, the individual must report for jury duty.

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

B. Service as a witness

If a College employee is subpoenaed as a witness to give deposition testimony in a state or federal court, at a hearing, or before a body with subpoena authority, the following applies:

1. An employee is entitled to their regular salary and is not required to take leave if the matter is determined by the administrative chain in consultation with the Office of General Counsel to be within the scope of the employee's College employment.
2. If the matter is outside the scope of College employment, the employee is required to take annual leave if: the employee is serving as a paid expert witness, or the employee is a party to the matter.
3. Employees may retain any witness fees offered under state or federal law or court rules only if: The testimony is outside the scope of College employment, or the employee is a party to the

- matter other than as a representative of the College.
4. Employees may retain mileage fees under state or federal law or court rules: if the matter is within the scope of College employment, the employee uses a personal vehicle, and the College does not reimburse travel expenses, or if the matter is outside the scope of College employment and the employee uses a personal vehicle to comply with the subpoena.
 5. Employees subpoenaed to appear on a non-workday may retain any witness and mileage fees tendered to them.
 6. If a campus law enforcement officer is subpoenaed to appear when not scheduled for regular duty, they may retain any mileage fees provided.
 7. Employees on night shifts who are required to testify during the day or give depositions (not related to personal litigation or paid testimony outside the scope of employment) shall be allowed to use court and jury leave for their night shift on the day they served.
 8. Any employee intending to serve as an expert witness must comply with conflict of interest and outside employment policies, including prior approval in accordance with Board of Trustees Policy 450.1. If retained and compensated beyond standard witness fees, the employee must take annual leave for the time used in testimony. Employees not accruing leave must coordinate with their administrative chain to prevent disruption to College duties.

5. Leave Without Pay (LWOP):

The Chancellor may grant an employee's written request for a leave-of-absence without pay not to exceed one year unless granted in accordance with the provision for military leave. In appropriate cases, additional unpaid leave will be considered as a form of reasonable accommodation for qualified individuals with disabilities on a case-by-case basis.

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

Leave without pay is not to be granted, except in the case of a maternity-related health condition or to bond with a child following birth, adoption, or placement for foster care (consistent with See Section IV. B. of Board Policy 420.3), until all of the employee's accumulated annual leave has been exhausted, and any employee on a leave of absence without pay does not accumulate annual leave, participate in the group insurance programs to which the College makes a contribution, or receive pay for any legal holidays. An employee may continue participating with the insurance programs provided arrangements are made in advance with the campus human resource office to assume full payment of the premium costs.

When the employee is on leave without pay, they may continue to participate in the University's group insurance programs. However, the employee must make arrangements with Human Resources to pay the total cost (the individual's part and the University's matching part) of their coverage for any month when they are on leave without pay for ten or more consecutive days. For those benefits provided by the University, with no employee contribution (basic life insurance and long-term disability insurance), they must pay the amount of the University's contribution or risk loss of coverage, except when those benefits are protected by FMLA regulations.


If the employee fails to report to work promptly at the end of an agreed-upon period of leave without pay, employment with the college may be terminated. If there is a good reason for the delay, the College may extend your period of approved leave. Leave of absence without pay shall not exceed six months, provided that the Chancellor or UA System President may under special circumstances approve leave without pay for a

period not to exceed a year.

Leave Without Pay (LWOP) Payroll Adjustment

When an employee enters a Leave Without Pay (LWOP) status, regular payroll processing will be temporarily modified to ensure accurate compensation and prevent potential overpayment. The following procedures will apply:

- **Manual Payroll Calculation:** During the LWOP period, payroll will be processed manually to reflect the employee's actual time worked or leave status.
- **Payment Timing:** Due to manual processing, paycheck issuance may be delayed by 1–2 business days.
- **Overpayment Prevention:** These adjustments are necessary to avoid overpayments, which could result in required repayment by the employee and potential administrative inconvenience.

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
Originator(s):	UA-PTC Policy Review	Oct, 2018
Ratified by:	Joint Operations	Feb 27, 2026
Recommended by Chancellor (Signature)		2/27/26
UA Policy Alignment:	UA Board Policy 420.2, 420.5, & BOT Policy 450.1	