

**LEAVE POLICY**

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UA Cossatot utilizes the leave policies of the Office of Personnel Management as applicable to classified employees and extends the application of these policies to full-time non-classified employees (excluding faculty) proportionally to their work week and year.

**ANNUAL LEAVE**

Full-time employees accrue leave at the rates shown in the timetable listed below. Full-time employees who work less than full time but more than 1000 hours per year accrue annual leave in the same proportion as time worked.

**RATES OF ANNUAL LEAVE ACCRUAL**

YEARS OF EMPLOYMENT	MONTHLY	ANNUALLY
Through 3 Years	8 Hours	96 Hours
4 Through 5 Years	10 Hours	120 Hours
6 Through 12 Years	12 Hours	144 Hours
13 Through 20 Years	14 Hours	168 Hours
Over 20 Years	15 Hours	180 Hours

**MAXIMUM ACCRUAL OF ANNUAL LEAVE**

All Annual Leave is cumulative; however, no employee shall have over 240 Hours accumulated on December 31st of each year. Accrued leave may exceed 240 Hours during the calendar year, but those hours in excess of 240 will be forfeited if not used by December 31st of each year.

**LEAVE FOR GRANT & SPECIAL PROJECT PERSONNEL**

All Annual and Compensatory Leave must be used before expiration of the current contract or it will be forfeited. In the event of termination, lump sum payment for accrued leave and holiday time will not exceed the remaining days of the contract.

**SICK LEAVE**

**RATES OF SICK LEAVE ACCRUAL**

Full-time employees accrue sick leave at a rate of 8 Hours per month, 96 Hours annually. Full-time employees who work less than full time but more than 1000 hours per year accrue sick leave in the same proportion as time worked. Employees working less than 12 months, will not accrue sick leave during those months they are not working.

## MAXIMUM ACCRUAL OF SICK LEAVE

All Sick Leave is cumulative; however, no employee shall have over 960 Hours accumulated on December 31<sup>st</sup> of each year. Accrued leave may exceed 960 Hours during the calendar year, but those hours in excess of 960 will be forfeited if not used by December 31<sup>st</sup> of each year.

For each calendar year, full-time employees may use up to two days of sick leave for personal business. The employee must have expressed permission from the supervisor and give 24 hours advance notice.

Non-faculty may donate accrued sick leave to the Office of Personnel Management Catastrophic Leave Bank by completing a donor application located in the human resource office.

## USAGE OF SICK LEAVE

Sick leave is to be used only for illness of the employee or for medical, dental, or optical treatment. Sick leave may also be used in the event of serious illness of a member of the employee's immediate family. Immediate family is defined as:

FATHER, MOTHER, SISTER, BROTHER, SPOUSE, CHILD, GRANDPARENTS, GRANDCHILD, IN-LAWS, OR ANY INDIVIDUAL ACTING AS A PARENT OR GUARDIAN OF AN INDIVIDUAL.

Absences due to illness or disability, except in cases of maternity leave, is charged in the Following order: (1) Earned sick leave; (2) Earned annual leave; and (3) Leave without pay.

Employees utilizing sick leave should 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 call in each day or otherwise notify their supervisor of their intent to be out.

Sick leave cannot be used as a substitute for annual leave or merely because an employee believes that it would be convenient or desirable to be absent on a certain day or at a particular time. Employees should work with their supervisors to schedule their anticipated medical appointments in a manner that will not impact the department's ability to meet its workload requirements. In addition, faculty should be mindful of the importance of being physically present on campus, and they must, whenever possible, attempt to make medical appointments at times when they are not scheduled to teach, hold office hours, or attend meetings.

## ABUSE OF SICK LEAVE

An employee's entitlement to sick leave can be abused by using it for an improper reason, misrepresenting the reason for requesting sick leave, or using sick leave excessively and without medical documentation. To avoid the abuse of sick leave privileges, UAC 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. Such documentation will be required whenever an employee uses sick leave under one of the following conditions:

1. When an employee is absent from work for more than three consecutive days;
2. 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;
3. When an employee has a consistent pattern of using sick leave on Mondays, Fridays, before holidays, or after holidays;
4. When an employee has six or more occurrences of undocumented sick leave usage within a 12-month period. Sick leave that is certified in accordance with this policy shall not be considered as an occurrence; or
5. UAC has information that casts doubt on the stated reason for using sick leave.

An employee's abuse of sick leave or failure to provide the required documentation under this policy can be grounds for discipline in accordance with College Policy 464 Uniform Conduct Standards. 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.

## FAMILY MEDICAL LEAVE ACT

An absence that exceeds three days may be covered under the College Policy 434 Family Medical Leave Act. 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, UAC 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.

## PERSONAL LEAVE

For each fiscal year, full-time employees may use up to two (2) days of sick leave for personal business. The employee must have permission from the supervisor and give 24 hours advance notice. Personal leave, if not taken during a fiscal year, does not carry forward.

## MATERNITY LEAVE

Employees on maternity leave, may elect to take leave-of-absence without pay without exhausting accumulated annual and sick leave.

## LEAVE WITHOUT PAY

The President of the University of Arkansas System, upon the recommendation of the UA Cossatot Chancellor may grant an employee's written request for a leave-of-absence without pay not to exceed six months 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. Leave without pay is not to be granted, except in the case of maternity leave, until all of the employee's accumulated annual leave has been exhausted, and any employee on leave-of-absence without pay does not accumulate annual leave nor participate in the group insurance programs to which UA Cossatot makes a contribution nor receive pay for any legal holidays. An employee may continue with the insurance programs by paying the entirety of those costs provided that arrangements have been made in advance to assume full payment of the premium costs. The President of the University of Arkansas System, upon the recommendation of the UA Cossatot Chancellor, may place an employee in a leave-without-pay status for disciplinary reasons in accordance with the written personnel policies of the unit involved. In this instance the individual is not required to exhaust annual leave and sick leave before being placed in leave-without-pay status.

Employees may be dismissed if they fail to report to work promptly at the expiration of the period of leave without pay; however, the college may accept satisfactory reasons provided by the employee in advance of the date to return to work and extend the leave period accordingly.

## BEREAVEMENT LEAVE

Full-time employees may utilize up to three (3) days of accumulated sick leave in the event of the death of an immediate family member, as defined above. At the Chancellor's discretion, an additional two (2) days may be granted. No employee will be granted more than five (5) work days without written consent of the Chancellor.

#### COURT AND JURY LEAVE

Any employee who serves as a witness, juror, or party litigant in any civil or criminal court proceeding is entitled to receive normal and full compensation, if the matter is within the employee's scope of state employment. Annual leave must be utilized if the court proceeding is personal in nature.

#### MILITARY LEAVE

Full-time employees drafted or called to active duty in the Armed Forces of the United States or who volunteer for military service, shall be placed on military leave without pay. All unused sick leave at time of military leave will be reinstated at the time the employee returns to work. However, all unused annual leave must be paid to the employee before starting the period of leave without pay, except in cases when the employee is returning to active duty for temporary training only.

Permanent, full-time employees who are members of the National Guard or any of the reserve branches of the U.S. Armed Forces will be granted leave at the rate of fifteen (15) working days per calendar year, plus necessary travel time for annual training purposes. Up to fifteen (15) military leave days may be carried over to the succeeding year for a maximum of thirty (30) military leave days for that calendar year.

#### EDUCATIONAL ACTIVITY LEAVE

Full-time employees are entitled to eight (8) total hours of leave, regardless of number of children, during any one (1) calendar year for the purpose of attending or assisting with the educational activities of a child. Any unused Educational Leave may not be carried over to the next year and is not compensable to the employee at time of retirement.

#### HLC Criterion: 2A

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##### **Policy History:**

September 10, 2018  
June 19, 2018  
November 3, 2014  
January 1, 2011  
September 27, 2010  
May 23, 2005  
July 1, 2001

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**ACCURAL OF ANNUAL LEAVE**

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Procedures:

1. Any full-time employee working in a regular salary position will accrue annual leave in the same proportion as time worked. (Employees who work in Faculty and Instructional positions do not earn Annual Leave.)
2. A regular 40 hour per week employees will earn 8 hours of annual leave per month beginning on their hire date. Full-time employees working less than 40 hours per week, will earn a pro-rated share of the 8 hours per month to be calculated by the Human Resource Department.
3. Full-time employees who remain with the college for a prolonged period, will begin to accrue more annual leave upon certain anniversary dates. The rates of annual leave accrual listed below will be followed:

Years of Employment	Monthly	Annually
Through 3 Years	1 day (8 hours)	12 Days (96 hours)
4 through 5 Years	1 day, 2 hours (10 hours)	15 Days (120 hours)
6 through 12 Years	1 day, 4 hours (12 hours)	18 Days (144 hours)
13 through 20 Years	1 day, 6 hours (14 hours)	21 Days (168 hours)
Over 20 Years	1 day, 7 hours (15 hours)	22.5 Days (180 hours)

4. Annual leave accrued during a calendar month is not considered to be earned by an active employee until the last working day of the month. Annual leave must be earned before it can be used.
5. Newly hired full-time employees will accrue the full amount of monthly leave if employed on the first working day of the month. Employees hired after the first working day of the month, but on or before the 16<sup>th</sup> of the month, will accrue half their monthly leave amount.
6. Terminated employees who work through the 15<sup>th</sup> of a month, will accrue half their monthly leave amount, and employees who work through the end of the monthly will accrue their full monthly leave amount.
7. Employee's annual leave is cumulative. But employees cannot exceed 30 days (240 hours) of accumulated leave on December 31<sup>st</sup> of each year. Accrued leave may exceed 30 days during the calendar year, but those days in excess of 30 at the end of December will be forfeited. Employees who have more than 30 days at the end of the calendar year may donate their excess leave to the Catastrophic Leave Bank.

8. Employees will continue to earn annual leave at their normal accrual rate while they are using their leave.
9. Employees will not accrue leave while in a “leave without pay” status for 10 or more cumulative days within a calendar month.

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**Procedure History:**

November 1, 2013

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**USE OF ANNUAL LEAVE**

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Procedures:

1. Employees may request to use annual leave at any time. Supervisors may grant the leave request at such time that will cause the least disruption for the efficient operation of the college.
2. Employees must complete a Leave Request Form and submit it to their immediate supervisor or another appropriate supervisor if necessary. Annual leave must be requested in advance of being used, unless used in an emergency situation.
3. Employees and/or Supervisors must verify prior to submission that employees have the appropriate amount of available leave time before the request is forwarded to the Payroll Office for processing.
4. The supervisor will either approve or disapprove the leave. If approved the Leave Request Form will be signed and sent to the Payroll Office for processing.
5. Employees may use their annual leave in 15 minute increments. No smaller amounts shall be used.

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**Procedure History:**

November 1, 2013

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**ANNUAL LEAVE AT TERMINATION**

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**Procedures:**

1. Employees who terminate employment with the college are entitled to be compensated for any unused Annual Leave that they have accrued up to 240 hours.
2. Upon termination, the Human Resource Department will verify the accrued leave balance with the Payroll Office and calculate the amount of the Lump Sum Leave Payment using the employee's current hourly rate.
3. The Lump Sum Payment amount must then be submitted for approval to the Supervisor, the Vice Chancellor for Business Services, and the Chancellor before forwarding to the Payroll Office for Processing.
4. The Payroll Office will then make payment on the Lump Sum Leave on the next available payroll date.
5. Employees transferring to another state agency or state institution of higher education may elect to transfer their available leave to their other agency in lieu of Lump Sum Payment as long as there is no break in service.

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**Procedure History:**

November 1, 2013

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**ANNUAL LEAVE FOR GRANT PERSONNEL**

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**Procedures:**

1. All Grant personnel who earn annual leave are encouraged to use their leave each year by the end of their grant year or before the expiration of their current contract or the leave time will be forfeited.
2. In the event of termination, Lump Sum Payment will not be available to Grant personnel.
3. The Chancellor has the sole authority to approve exceptions to this procedure within official rules and regulations of the Grant.

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**Procedure History:**

November 8, 2013

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**ACCURAL OF SICK LEAVE**

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Procedures:

1. Full-time employees working in a regular salary or faculty position accrue sick leave in the same proportion as time worked.
2. Regular 40 hour per week employees begin earning 8 hours of sick leave per month upon their hire date. Faculty members working 30 hours per week will earn 6 hours of sick leave per month for each month of their contract. Other Full-time employees, who work less than 40 hours per week, will earn a pro-rated share of the 8 hours per month calculated by the Human Resource Department.
3. Sick leave accrued during a calendar month is not considered to be earned by an active employee until the last working day of the month. Leave must be earned before it can be used.
4. Newly hired employees will accrue the full amount of monthly leave if employed on the first working day of the month. Employees hired after the first working day of the month, but on or before the 16<sup>th</sup> of the month, will accrue half their monthly leave amount.
5. Terminated employees working through the 15<sup>th</sup> of a month accrue half their monthly leave amount. Employees working through the end of the month accrue their full monthly leave amount.
6. Sick leave is cumulative. Maximum accrual is 120 days (960 hours) by December 31<sup>st</sup> of each year. Accrued sick leave may exceed 120 days during the calendar year, but days in excess of 120 at the end of December will be forfeited or can be donated to the Catastrophic Leave Bank.
7. Employees continue earning sick leave at their normal accrual rate while they are using their leave.
8. Employees will not earn leave while in “leave without pay” status for 10 or more cumulative days within a calendar month.

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**Procedure History:**

November 8, 2013

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**USE OF SICK LEAVE**

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Procedures:

1. Employees may request to use sick leave for illness or for medical dental, or optical treatment. Employees may use sick leave in the event of serious illness or the death of an immediate family member. Immediate family is defined as: Spouse, Child, Father, Mother, Brother, Sister, Grandparents, In-Laws, or any individual that the employee is deemed to be acting as a Parent or Guardian.
2. Employees must complete and submit a Leave Request Form to their immediate supervisor or another appropriate supervisor if necessary.
3. Employees and/or Supervisors should verify prior to submission that employees have an appropriate amount of available leave time, before the request is forwarded to the Payroll Office. If sick leave is not available, employees may use Annual Leave, or may be in Leave without Pay status. (Must get with the Human Resource Department in the case of Leave without Pay.)
4. Upon approval, Leave Request Forms will be signed and forwarded to the Payroll Office for processing.
5. Sick leave may be used in 15 minute intervals. No smaller amounts shall be used.
6. Employees using sick leave for 5 or more consecutive days must furnish a certificate of illness from an attending physician. (Employees meeting certain criteria may be entitled to FMLA. See policies and procedures for FMLA.)

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**Procedure History:**

November 8, 2013

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**SICK LEAVE AT TERMINATION**

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Procedures:

1. Employees terminating employment with the college are not entitled to unused sick leave, unless eligible retiree.
2. Upon retirement, the Human Resource Department will verify the unused sick leave balance with the Payroll Office and calculate the amount of Sick Leave Incentive Payment by using the employee's current hourly rate on the appropriate form.
3. Sick Leave Incentive Payout amounts are calculated according to the following policy:
  - a. If the employee has accumulated at least 50 days, but less than 60 days of sick leave, the employee shall receive an amount equal to 50% of the number of accrued sick leave days (rounded to the nearest day) times 50% of the employee's daily salary rate.
  - b. If the employee has accumulated at least 60 days, but less than 70 days of sick leave, the employee shall receive an amount equal to 60% of the number of accrued sick leave days (rounded to the nearest day) times 60% of the employee's daily salary rate.
  - c. If the employee has accumulated at least 70 days, but less than 80 days of sick leave, the employee shall receive an amount equal to 70% of the number of accrued sick leave days (rounded to the nearest day) times 70% of the employee's daily salary rate.
  - d. If the employee has accumulated at least 80 days or more days of sick leave, the employee shall receive an amount equal to 80% of the number of accrued sick leave days (rounded to the nearest day) times 80% of the employee's daily salary rate.
  - e. The Sick Leave Incentive Payout cannot exceed \$7,500.
4. The Sick Leave Incentive Payment amount must be submitted for approval by the Supervisor, the Vice Chancellor for Business Services and the Chancellor before forwarded to Payroll for processing.
5. The Payroll Office will make payment on the Sick Leave Incentive Payment on the next available payroll date.
6. Employees not meeting the criteria for sick leave payout upon retirement may donate unused sick leave to the Catastrophic Leave Bank. After payout, any unused sick leave that was not needed to calculate the maximum payout can also be donated.
7. Eligible employees transferring to other state agencies or state institutions of higher education, may elect to transfer available sick leave to that agency. (See the Human Resource Department for specifics.)

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**Procedure History:**

November 8, 2013

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**LEAVE WITHOUT PAY**

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Procedures:

1. Employees who have exhausted all other leave, except in cases of maternity leave, may take Leave Without Pay at the discretion of the Chancellor.
2. Employees granted Leave Without Pay, must submit Leave Request Forms filled in with the appropriate information, and approvals to the Human Resource Department.
3. The Human Resource Department will calculate the amount of Leave Without Pay based on Employees' current hourly rate.
4. The Human Resource Department will forward the appropriate paperwork and approvals to the Payroll Office for processing on the next available Payroll date.
5. Employees on Leave Without Pay are not eligible to continue to earn Annual or Sick Leave while on Leave Without Pay for 10 days or more in a month.

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**Procedure History:**

November 8, 2013

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**BEREAVEMENT LEAVE**

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Procedures:

1. Employees may request to use sick leave for the death of an immediate family member. Immediate family is defined as: Spouse, Child, Father, Mother, Brother, Sister, Grandparents, In-Laws, or any individual that employees deem to be acting as a Parent or Guardian.
2. Employees may use up to 3 days of accumulated sick leave for Bereavement.
3. The Chancellor has the discretion to grant additional days of Bereavement Leave. No more than 5 days of sick leave may be used for Bereavement.
4. Employees must complete and submit a Leave Request Form to their supervisor. If additional days are approved the Chancellor will initial.
5. When finalized, the form will then be forwarded to the Payroll Office for processing.

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**Procedure History:**

November 8, 2013

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**COURT/JURY LEAVE**

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Procedures:

1. Employees are encouraged to participate in the judicial system. Therefore, college employees called for jury duty or to serve as an expert witness pertaining to their state employment are not required to utilize their annual leave as long as the court appearance is not personal in nature.
2. Employees being paid by the court system and not utilizing Annual Leave must surrender any payment for court appearances to the college. Payments must be submitted to the Business Office and receipted back to the Employee budget appropriately.
3. Payments for mileage do not have to be surrendered as long as the college is not reimbursing the employee for mileage due to a court appearance on the college's behalf.
4. Employees on Court/Jury Leave must still complete and submit Leave Request Forms to be forwarded to the Payroll Office for record keeping purposes.
5. Employee making court appearances that are personal in nature, must utilize Annual Leave.

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**Procedure History:**

November 8, 2013

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