

## **LEAVE POLICIES**

### **Personnel Absences**

Planned absences from the job--such as annual leave, personal leave, military leave, and court attendance--must be requested and approved on the Leave Request Form prior to the occurrence of the absence (*Appendix B*).

Sick leave and emergency leave should be requested in advance whenever possible. Since illness of staff members or their immediate families can seldom be anticipated, the Leave Report Form must be completed immediately upon return to work. However, each person absent due to an unanticipated illness or emergency must notify the immediate supervisor and/or administrative office as soon as possible on the day of his/her absence.

### **Annual Leave**

Salary schedule D personnel do not earn annual leave. Salary schedules A,B,C, and E personnel shall earn annual leave for each month of employment at the following rates:

- 0-4 years of experience = 8 hours per month
- 5-9 years of experience = 10 hours per month
- 10-14 years of experience = 12 hours per month
- 15-19 years of experience = 14 hours per month
- 20 or more years of experience = 16 hours per month

Employees compensated from Salary Schedule H shall receive annual leave under the same terms and conditions as other eligible employees, except a day of annual leave shall be as follows: four (4) hours for employees compensated from Schedule H-20, five (5) hours for employees compensated from Schedule H-25, six (6) hours for employees compensated from Schedule H-30, and seven (7) hours for employees compensated from Schedule H-35.

A "year of experience" shall be a completed year of full-time work experience at one or more System institutions, 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' 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 workhours 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 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.

A maximum of 60 days of annual leave may be accrued and carried forward into each September. Earned annual leave may be taken at appropriate times as approved in advance by the President or designee. Annual leave may exceed 60 days during a year; however, annual leave exceeding 60 days earned but not taken by September 1 is forfeited. Personnel who leave employment will be paid for the actual number of annual leave days earned and not used, up to a maximum of 60 days.

### **Court Attendance**

Full-time employees who are required by a court to attend such court in the capacity of jurors or witnesses under subpoena will be granted special leave with pay to attend such court. Documentation from the court will be required for payroll files.

### **Emergency Leave**

#### **Personnel Employed on Salary Schedule D**

Emergency leave with pay is not available to Schedule D personnel beyond the five (5) personal leave days (State Board Policy 610.01.4.1). Leave for emergency reasons may be granted without pay for up to a maximum of one year on written recommendation by the President and approval by the Chancellor. The tenure status of persons on emergency leave without pay will not be affected.

#### **Full-Time Personnel Other Than Salary Schedule D Employees**

A maximum of three (3) days of emergency leave with pay may be granted to A, B, C, and E employees during any fiscal year if, in the judgment of the President, it is essential that the employee be absent. Emergency leave with pay is noncumulative.

In situations where annual and sick leave have been exhausted, the president or an immediate supervisor may approve emergency leave to an employee up to a maximum of three days per leave year.

Leave for emergency reasons may be granted, without pay, for up to maximum of one year upon written recommendation by the President and approval by the Chancellor. The tenure status of persons on emergency leave will not be affected.

### **Maternity Leave**

A full-time employee may be granted up to a maximum of one year of maternity leave without pay. Persons on maternity leave without pay resulting from pregnancy will be paid for earned sick leave on request. A person who resigns instead of taking maternity leave cannot be paid for

accumulated sick leave. Persons taking maternity leave to stay home with adopted children will not be paid for earned sick leave. Leave earnings will continue for the period covered by maternity leave payments. The tenure status of persons on maternity leave will not be affected. (State Board Policy 611.01)

### **Family and Medical Leave Act**

The *Family and Medical Leave Act* (FMLA) was passed by Congress to balance demands of the work place with needs of families, promote stability and economic security of families, and promote national interests in preserving family integrity; minimize the potential for employment discrimination on the basis of gender by ensuring generally that leave is available for eligible medical reasons (including maternity-related disability) and for compelling family reasons; and promote the goal of equal opportunity for women and men.

The State Board of Educaiton and the institutions under its direction and control shall comply with the requirements of the FMLA. Those institutions shall administer the FMLA in conformance with regulations and guidelines promulgated by the Chancellor.

FMLA entitles eligible employees to take up to twelve (12) weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. Designation of leave as FMLA leave must be made "up-front" whenever possible. Accrued sick leave must be exhausted before the employee is entitled to unpaid FMLA leave. Any sick leave accrued and used by an employee which would qualify for FMLA leave will count towards the twelve (12) weeks of unpaid FMLA leave available to the employee. Upon return from FMLA leave, an employee is entitled to be restored to the same job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. In addition, an employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

To be eligible for FMLA leave, an employee must: 1) have worked for that employer for at least 12 months; 2) have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and 3) work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

Information concerning FMLA eligibility and approval may be obtained in the Business Office or the Office of Personnel Services.

### **Military Leave**

All full-time employees are eligible for paid military leave of up to 168 hours per calendar year in the event of being called to active duty. During the period of 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. Once available paid military leave is exhausted, the employee may take available annual or personal leave and continue to receive all employment benefits.

All full-time employees eligible for paid military leave shall also receive up to a maximum of 168 hours of paid military leave each time such eligible employee is called by the Governor of the State of Alabama to duty in the active service of the state. (State Board Policy 610.01.5).

## **Personal Leave**

### **Personnel Employed on Salary Schedule D**

Up to five (5) days of personal leave with pay will be granted to each full-time employee on the first day of each academic year. Personal leave is noncumulative. A reason for personal leave is not required. However, personal leave with pay shall be requested prior to its occurrence. The appropriate supervisor shall approve this personal leave unless the leave will hamper the normal routine operation of the College. Personal leave will not be paid on resignation or termination of employment.

The Chancellor may grant up to one year of personal leave without pay to a full-time employee upon the written request of the President to the Chancellor, stating that such leave without pay will not hamper the normal routine operation of the College. The tenure status of persons on personal leave will not be affected.

### **Full-Time Personnel Other Than Schedule D Employees**

Up to two (2) days of personal leave with pay will be granted to each full-time employee during any leave year. All support personnel on Salary Schedule H receive two (2) days of personal leave with a "day" defined as four (4) hours for persons paid from Salary Schedule H-20, five (5) hours for persons paid from Salary Schedule H-25, six (6) hours for persons paid from Salary Schedule H-30, and seven (7) hours for persons paid from Salary Schedule H-35. Personal leave is noncumulative. A reason for personal leave is not required. However, personal leave with pay must be requested prior to its occurrence. The immediate supervisor shall approve this personal leave unless its occurrence will hamper the normal routine operation of the College. The Chancellor may grant up to one year of personal leave without pay to a full-time employee upon the written request of the President to the Chancellor, stating that such leave without pay will not hamper the normal routine operation of the College. The tenure status of persons on personal leave will not be affected.

***NOTE: Unused personal leave will be converted to sick leave at the end of the year unless employee requests to the Business Office, in writing, otherwise by August 1 of each year.***

## **Professional Leave**

Up to a maximum of one year of professional leave without pay shall be granted to a full-time tenured faculty of Bevill State Community College if, upon approval by the Chancellor, upon written request of the President, the purposes of the institution and the objectives of the instructional program are not hampered by the instructor's absence.

Other full-time employees may be granted professional leave without pay for a period not to

exceed one year if, in the opinion of the President, the purpose of the institution and the objectives of the instructional program are not hampered by such leave without pay.

Professional leave with pay may be granted to any full-time employee when Federal or other noninstitutional funds are available for such purposes. A person granted a leave with pay must return to the institution for a minimum period of two years or repay the monies received while on leave. The tenure status of persons on professional leave will not be affected. Professional leave will be granted only on written request from the President and approval by the Chancellor.

### **Professional Development Leave**

Full-time personnel employed by Beville State shall be granted professional and/or vocational leave with pay for up to ten (10) days per year upon approval by the President. Professional and/or vocational leave with pay for more than ten (10) days per year shall be granted upon written request of the President and approval of the Chancellor. Professional Development Leave will be provided if the professional and/or vocational development activity will enhance significantly the employee's direct contributions to the institution and is consistent with the goals of the employee's professional and/or vocational development plan. A written statement must accompany each request, and a written report must be submitted to the President upon completion of the activity. Documentation of the activity, its purpose, and the benefits derived must be placed in the official personnel file or appropriate professional development files.

### **Sick Leave**

Each full-time college employee employed on Salary Schedules A, B, C, E, H shall earn one day of sick leave per month of employment. The maximum accumulated sick leave is authorized pursuant to Section 16-1-18.1, *Code of Alabama* of 1975, as amended.

Each full-time college employee employed on Salary Schedule D shall earn one day of sick leave per month of employment to a maximum of nine days during the academic year (fall and spring semesters) and up to a maximum of three days during the summer term. (State Board Policy 610.01.8.2).

Any unused balance of sick leave accumulated at the end of the leave year will be carried forward to the next succeeding year until a maximum allowable days of sick leave is accumulated. (State Board Policy 610.01.8.3).

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. Personnel must work one-half of the working days in the initial month of employment to accrue a day of sick leave. Accumulation of one (1) day per month will continue while an employee is on paid sick leave. If an employee receives sick leave pay for one-half (1/2) of the working days in the month, a day will be accumulated for that month, and accumulation will cease the following month.

Paid sick leave for prolonged illness or pregnancy will be granted on request via Request for Leave Form. The employee's immediate supervisor may request medical certification in cases involving prolonged periods of paid leave. Reinstatement to the same position will be made on the employees return to work from paid sick leave. Accumulated sick leave will not be paid on resignation or termination of employment. 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 at the expense of the employee.

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

- a. Personal illness or doctor's quarantine;
- b. Routine physical examinations, dental appointments, eye examinations, etc.;
- c. Personal injury which incapacitates the employee;
- d. Attendance on an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee or on an individual with a close personal tie to the employee;
- e. Death of a member of the family of the employee (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, uncle);
- f. Illness, injury, or death of an individual not legally related to but having a unique relationship with the employee. Where unusually strong personal ties exist due to an employee's having been supported or educated by a person, or some relationship other than those listed, this relationship may be recognized for leave purposes.
- g. Persons on maternity leave will be paid for earned sick leave on request.

All persons are eligible to receive credit for accrued sick leave when they:

- a. retire with service of 10 years at age 60 or have more than 25 years of service; or
- b. retire on disability and are otherwise eligible for service retirement.

The provision of Act 84-251 codified under Section 16-25-11.1, Code of Alabama, 1975, allow a TRS member to convert unused accrued sick leave to service credit at retirement. Conversion of sick leave to service credit is in lieu of any payment the member is entitled to receive for this leave.

The service credit may be applied toward meeting the minimum service requirement for service retirement eligibility (age 60 with 10 years or 25 years of service, regardless of age.)

The following chart is used by TRS to convert accumulated sick leave days to months of service credit upon service retirement. The maximum number of days that may be converted is based upon one (1) day of sick leave per month of employment (example: 25 years equals 300 days). The sick leave accrual limit of the employing agency determines the amount of sick leave eligible for conversion. (For calculation purposes, a day will be defined as 8 hours).

<b>Accumulated Sick Leave Days</b>	<b>Months of Service Credit</b>	<b>Accumulated Sick Leave Days</b>	<b>Months of Service Credit</b>
0-7	0	218-232	15
8-22	1	233-247	16
23-37	2	248-262	17
38-52	3	263-277	18
53-67	4	278-292	19
68-82	5	293-307	20
83-97	6	308-322	21
98-112	7	323-337	22
113-127	8	338-352	23
128-142	9	353-367	24
143-157	10	368-382	25
158-172	11	383-397	26
173-187	12	398-412	27
188-202	13	413-427	28
203-217	14	428-442	29

### **Absences Due to Job-Related Injuries**

The President, upon the request of an employee, may authorize that the salary of an employee be continued during absences due to job-related injuries upon presentation to the President of satisfactory evidence that demonstrates that the absence is due to or arising from a job-related injury. The decision of the President is to be based upon his judgment in accordance with the rules and regulations and procedures established by the Chancellor's Office as to what is in the best interest of the institution. Eligibility for salary payments is contingent upon the injured employees giving notice to the President/designee within 24 hours after occurrence of the injury. The President may require medical certification from the employee's physician that the employee was injured and cannot return to work (*See Appendix W*). The President may require a second opinion from another physician at the expense of the institution.

Payments, from whatever public or publicly-supported source derived, to an employee shall not exceed 100 percent of the employee's regular daily salary for each day absent. Salary continuation for an employee for absences due to a job-related injury may be made only for temporary disabilities where there is a reasonable expectation of the employee's returning to work and salary continuation in no event shall exceed 90 working days.

The employed, who is injured on the job, is eligible to claim unreimbursed medical expenses and costs through the State Board of Adjustment.