

AUBURN UNIVERSITY

LeavePolicies

5.1 Leave

5.2 Definitions & General Provisions:

5.2.1 **Eligible Employee** - Employees eligible for participation in Auburn University leave programs are

- a) Those on a regular appointment of 50 percent time or more and who are expected to be employed continuously for 12 months or longer.
- b) Those not on a regular appointment who work 50 percent time or more and who have been employed continuously for 12 months or longer.

5.2.2 **Immediate Family** - includes spouse, son, daughter, parents, stepchild, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild, grandparent, and grandparent-in-law.

5.2.3 The number of hours of paid leave charged for a day's absence from work will equal the number of hours the employee would otherwise have been scheduled to work on that day.

5.2.4 All paid leaves will be allowed proportionately for an eligible employee on a part-time appointment.

5.2.5 Departments may not establish separate policies on leave use without written authorization from the Associate Vice President of the Department of Human Resources.

5.2.6 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving anypaid leave except Annual Leave.

5.2 Court and Jury Duty Leave -

<https://sites.auburn.edu/admin/universypolicies/Policies/JuryDutyandPollWorkersLeavePolicy.pdf>

5.2.1 Poll Workers -

<https://sites.auburn.edu/admin/universypolicies/Policies/JuryDutyandPollWorkersLeavePolicy.pdf>

5.3 Military Leave - An eligible employee who is an active member of the National Guard, State Guard, Naval Militia or the reserve components of the Army, Navy, Marine Corps, Air Force, or Coast Guard will be entitled to military leave of absence for training or other service (including short periods necessary to retain active reserve status or instances when one is called by the Governor to duty in the active service of the State). The employee must submit a request in advance for such leave, along with copies of his or her military orders, to the department head and the Department of Human Resources.

5.3.1 The first 21 working days of military leave per calendar year will be with full pay. Extended military leave (for more than 21 working days per calendar year) must be without pay and requires approval by the Associate Vice President for the Department of Human Resources.

5.3.2 An employee who joins or is drafted into military service will be terminated from University employment but will be eligible for re-employment as prescribed in the Veterans Reemployment Rights law. In cases where the employee's period of active duty is less than six months, he or she will instead be placed on Leave Without Pay for the term of enlistment. Such employee is not eligible for paid military leave.

5.3.3 An employee may elect not to take military leave. Affected employees are not required to use annual leave in lieu of paid or unpaid military leave; however, they may elect to use accrued annual leave or earned comp time at their discretion.

5.3.4 Salary differential for employees activated during war on terrorism: If the military base pay of an employee called into active service for the war on terrorism, beginning September 11, 2001, is less than the salary he or she would have continued to receive if not called to active service, he or she may receive a salary differential (pursuant to Ala. Code § 31-12-5 (2002)) that is equal to the difference between the lower active duty military base pay and the higher University salary.

5.4 Bereavement/Funeral Leave - <https://sites.auburn.edu/admin/universitypolicies/Policies/BereavementLeavePolicy.pdf>

5.5 Sick Leave - Auburn University provides paid sick leave benefits to all eligible employees (as defined in section 5.1.1). Sick leave is defined as the absence of an employee from work for one or more of the following reasons:

a) Personal illness or injury which prevents the employee from performing his or her duties.

b) The employee's or immediate family member's appointment with a physician, dentist, optometrist, psychologist or other recognized health practitioner, hospital, or clinic. Employees are encouraged to schedule such appointments outside working hours whenever possible. Employees are expected to return to work as soon as the appointment is completed.

c) The illness, injury, or disability of a member of the immediate family when the presence of the employee is required.

5.5.1 Sick leave must be used for medical reasons. An employee must notify his or her immediate supervisor prior to the beginning of the scheduled workday if unable to report due to illness or injury. The employee assumes full responsibility for such notification.

5.5.2 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving anypaid leave except Annual Leave.

5.5.3 An eligible employee accrues sick leave according to the followingtable, which is based on regular (not overtime) hours worked. Sick leave may not be used until it is accrued. "Hours worked" (for purposes of leave accrual calculation) includes holidays and paid leave but not unpaid leave.

<u>Hrs/Yr</u>	<u>Lv/Hr</u>	<u>Hrs/40 Hr</u>	<u>Days/Yr</u>
96.00	0.0462	1.85	12

Accrual of sick leave for eligible full-time exempt employees, during the month of initial hiring or the month of termination, is prorated according to the percentage of the month to be worked.

5.5.4 Sick leave accrues whenever an employee is in pay status, including payment for on-the-job injury loss wages. However, sick leave is not accrued by employees being paid under the salary continuation program. Sick leave does not accrue during any period of leave without pay.

5.5.5 In computing the use of sick leave for an employee, Sundays, holidays, or non-work days will not be counted.

5.5.6 If an employee has advance knowledge of the need for extended (i.e., 30 days or longer) sick leave, he or she should immediately advise the supervisor (preferably at least one month ahead of time) so arrangements can be made for a temporary replacement if necessary. Included with such leave request must be a written document from the attending physician indicating the inclusive sick leave dates. The request will include a statement of the anticipated date on which the employee is approved to return to work and a statement that the employee intends to return to work. Upon returning to work from extended sick leave, an employee must present written documentation from the attending physician certifying fitness to work. The employee is expected to give the supervisor as much notice as possible of the planned date of return to work.

5.5.7 A supervisor may request written documentation as to the circumstances of an employee's absence prior to approving any paid leave except Annual Leave. If the supervisor suspects that

an employee is abusing the sick leave privilege, the supervisor should review the facts and, if necessary, take appropriate disciplinary action.

5.5.8 Sick leave requests (HR-8) must be filed by the first workday following the return from an absence.

5.5.9 An employee who transfers or is promoted from one department to another will retain any unused sick leave balance.

5.5.10 An eligible employee hired before October 1, 1990, maybe compensated for unused sick leave at the rate of 25 percent, subject to a maximum of one additional month's pay or equivalent, upon terminating University employment. An employee will not receive credit for previously accumulated sick leave if rehired after an interruption of employment.

5.5.11 When it is apparent that injury, personal illness, or hospitalization will result in the use of all accumulated sick leave, the department head should contact the Office of Payroll and Employee Benefits for verification of eligibility for benefits under the Salary Continuation Plan.

5.5.12 Outside employment during an employee's sick leave is prohibited and may result in disciplinary action up to and including immediate termination of employment.

5.5.13 Employees who transfer to or from another school or agency which participates in the State Teachers Retirement system, on or after August 1, 2001, may retain their accrued and unused sick leave balances. Sick leave which is thus transferred to or from Auburn University may be used for any purpose normally permitted for sick leave.

5.6 Family and Medical Leave Act of 1993 (FMLA) Policy

<https://sites.auburn.edu/admin/universypolicies/Policies/FamilyMedicalLeaveActPolicy.pdf>

5.7 **Leave Without Pay** - Leave without pay(LWOP) has three major categories:

a) Extended sick leave without pay. See section 5.8.3.

b) Voluntary leave without pay, which refers to employees who have exhausted applicable paid leave time, but who, for approved reasons, are not immediately returning to work.

c) Disciplinary LWOP. See section 8.2.

5.7.1 An employee on either approved extended sick leave without pay or voluntary leave without pay is considered to be in inactive status. Certain restrictions and limitations apply regarding specific employee benefits relating directly to the assigned leave without pay category. If an unpaid leave is granted after FMLA has been exhausted, every effort will be made to return the employee to his or her former position, but such reinstatement cannot be guaranteed.

5.7.2 Extended sick leave without pay refers to certified personal illness, injury, or disability. The critical nature of an immediate family member's illness or injury may also justify the

granting of extended leave without pay depending upon the circumstances. All accrued sick leave must be used before extended sick leave without pay may be considered. An employee is not required to exhaust his or her annual leave prior to beginning extended sick leave.

5.7.3 A memorandum of request for extended sick leave without pay will be submitted in advance through the department head to the Associate Vice President of the Department of Human Resources for approval. The employee should provide a statement of the date he or she intends to return to work. Such leave, once approved, will not exceed a period of six months.

5.7.4 If annual leave is carried forward, it will be available when the employee returns. If the employee does not return, the accumulated annual leave will be paid as terminal leave up to one month's salary, if applicable. No annual or sick leave will accrue during any authorized leave of absence without pay.

5.7.5 No Personnel Action Form (PAF) will be processed for salary improvement until the employee returns to active work. Salary improvement will not be retroactive.

5.7.6 A medical practitioner's statement, certifying that the employee is able to resume normal work activities, will be required when an employee is returning from an extended leave without pay. This statement must be presented before resuming normal duties.

5.7.7 If the employee is not eligible for salary continuation benefits, the Department Head should place the individual in a leave of absence without pay status if the return of the employee is expected and desirable. In this situation, the employee may elect to use accrued annual leave before being placed on leave without pay status (see section 5.8).

5.7.8 Voluntary leave without pay normally applies where an employee requires additional time off. Employees must have completed one year of continuous service to be eligible for such leave.

5.7.9 A request for voluntary leave of absence without pay will be submitted in advance through the Department Head to the Associate Vice President of the Department of Human Resources for approval. The employee will provide a statement of intention to return to work. Such leave of absence will normally not exceed a period of six months.

5.7.10 Except for military duty, leave without pay will not be permitted for an employee to work for another employer.

5.7.11 For the purposes of education, study, research and writing, consideration may be given to granting leave without pay for periods of up to one year. The employee must, in this instance, use all accrued annual leave before beginning any period of leave without pay.

5.7.12 No annual or sick leave will accrue during any authorized leave of absence without pay.