

University of Louisiana System

**Title: LEAVE RECORD
ESTABLISHMENT AND
REGULATIONS FOR ALL
UNCLASSIFIED, NON-CIVIL
SERVICE EMPLOYEES**

Effective Date: February 25, 2021

Cancellation: July 1, 2003

Chapter: Faculty and Staff

Policy and Procedures Memorandum

I. INTRODUCTION

The rules and policies set forth below shall be applicable to all unclassified, non-civil service employees under the jurisdiction of the Board. It is the policy of the Board that unclassified employees shall enjoy benefits comparable to other classes of state employees, and these rules and policies are promulgated under that concept.

II. DEFINITIONS

- A. Faculty leave is leave granted to faculty members employed on the nine-month (academic year) basis in lieu of annual leave and is comprised of the days between terms and at holiday periods when students are not in classes. This special form of leave shall be taken as it is earned.
- B. Annual leave is leave with pay granted to unclassified 12-month employees for the purpose of rehabilitation, restoration, maintenance of work efficiency, or attention to other personal concerns.

- C. Sick Leave is leave with pay granted to an employee who is suffering with a disability which prevents him/her from performing his/her usual duties and responsibilities and who requires medical, dental, or optical consultation or treatment; or to care for an immediate family member who is ill or injured; or to accompany an immediate family member to a medical, dental, or optical consultation or treatment. As used in this subsection, "immediate family member" means a spouse, parent, or child of an employee.
- D. Compensatory leave is leave hours accrued and used by unclassified employees (12-month) for work and duties performed in excess of the normal 40-hour work week.

III. WORK WEEKS, ATTENDANCE, AND LEAVE RECORDS FOR UNCLASSIFIED EMPLOYEES

- A. For purposes of leave, appointing authorities shall establish work weeks of 40 hours per week for full-time employees. The purpose of establishing the 40-hour week is to provide appointing authorities a system of accounting for and the taking of leave. It is understood that some faculty work is done outside the office such as the library and laboratories as well as off-campus sites.
- B. For purposes of leave, appointing authorities shall establish work weeks proportionate to the provisions of the previous paragraph for part-time employees.
- C. Attendance and leave records shall be maintained for all faculty and unclassified employees. These records shall be signed by the employee and the supervisor and reported at least monthly to the appropriate office at the end of each regular pay period. (Revision approved 1/5/96)

IV. FACULTY LEAVE FOR EMPLOYEES ON OTHER THAN 12-MONTH BASIS

- A. Faculty leave shall be earned by each eligible faculty member who is employed for the academic year and has a regular tour of duty.
- B. Faculty leave shall be earned and taken as it is earned as specified by the official calendar of the institution served.

V. ANNUAL LEAVE FOR UNCLASSIFIED EMPLOYEES ON THE 12-MONTH BASIS

- A. Annual leave shall be earned by each eligible employee who has a regular tour of duty. Personnel not employed on a continuing basis (temporary employees) shall not earn annual leave.
- B. Annual leave earned shall be based on the equivalent of years of full-time state service and shall be creditable at the end of each pay period or calendar month in accordance with the following general schedule:

DAYS OF ANNUAL LEAVE EARNED PER MONTH BY UNCLASSIFIED FULL-TIME EMPLOYEES					
Years of Service	Less Than 3	3, But Less Than 5	5, but Less Than 10	10, But Less Than 15	15 And Over
Days (hours) of Leave Earned Per Month	1 (8 hrs.)	1-1/4 (10 hrs.)	1-1/2 (12 hrs.)	1-3/4 (14 hrs.)	2 (16 hrs.)

- C. No 12-month unclassified employee shall be credited with annual leave for any calendar month:
 - 1. until completion of that calendar month as an employee; or
 - 2. during which the employee was on leave without pay for ten or more working days; or
 - 3. while serving in the military.
- D. Accrued unused annual leave earned by an employee shall be carried forward to the succeeding years without limitation.
- E. When an employee changes his/her position from one state agency to another, his/her accumulated annual leave shall be forwarded to the new agency and shall be credited to him/her.

- F. Legal holidays, state-designated holidays, days of local conditions and celebrations, and similar periods when designated, announced, and observed by the institution, shall not be charged to annual leave.

- G. Annual leave shall be applied for in advance by the employee and may be taken only when approved by the appointing authority. Requirements concerning the use of annual leave include the following:
 - 1. An appointing authority may require an employee who has sufficient annual leave to his/her credit to take annual leave whenever the authority feels that it is best for the employee or the appointing authority.
 - 2. Except when given special advance approval for absence from duty, an employee must be at his/her work station for the day in order to be classified as on duty. A work station normally will be one's office or elsewhere on the employer's premises, or at other locations while representing the employer.
 - 3. Upon resignation, death, removal, or other termination of employment of an unclassified employee, annual leave amounting to the same maximum as is provided for members of the classified service of the state by the Civil Service Commission and approved by the Governor, and accrued to his/her credit shall be computed and the value thereof shall be paid to the employee or the heirs, provided that the annual leave has been accrued under established leave regulations and attendance records have been maintained for the employee by his/her supervisor. Such pay shall be computed at the employee's base rate of pay at the time of termination.

VI. SICK LEAVE FOR ALL UNCLASSIFIED EMPLOYEES

Sick leave for unclassified employees shall be earned by each employee who has a regular tour of duty. The earning of such leave shall be based on the equivalent of years of full-time state service and shall be creditable at the end of each calendar month in accordance with the following general schedule:

DAYS OF SICK LEAVE EARNED PER MONTH BY UNCLASSIFIED FULL-TIME EMPLOYEES					
Years of Service	Less Than 3	3, But Less Than 5	5, but Less Than 10	10, But Less Than 15	15 And Over
Days (hours) of Leave Earned Per Month	1 (8 hrs.)	1-1/4 (10 hrs.)	1-1/2 (12 hrs.)	1-3/4 (14 hrs.)	2 (16 hrs.)

- A. No unclassified employee shall be credited with sick leave for any calendar month:
 - 1. Until completion of that calendar month as an employee (except that nine-month faculty employed during the summer shall accrue sick leave prorated during the actual weeks of employment. For example, a faculty member employed for nine weeks in the summer shall be credited with 2¼ days).
 - 2. During which the employee was on leave without pay for ten or more working days.
 - 3. While serving in the military.

- B. Accrued unused sick leave earned by an employee shall be carried forward to the succeeding years without limitation.

- C. When an employee changes his/her position from one state agency to another, his/her accumulated sick leave shall be forwarded to the new agency and shall be credited to him/her.

- D. Sick leave with pay may be taken by an employee with sufficient leave to his/her credit for the following:
 - 1. Illness or injury that prevents performance of his/her work duties.
 - 2. Medical, dental, or optical consultation or treatment.
 - 3. To care for an immediate family member who is ill or injured; or to accompany an immediate family member to a medical, dental, or optical consultation or treatment.

- E. There is no minimum charge for sick leave. It is to be charged on an hourly basis.
- F. The employee may use sick leave for maternity purposes when her postnatal or prenatal condition prevents the performance of usual duties, provided the employee has sufficient sick leave credit. The limit to the use of sick leave for a postnatal condition shall be six weeks unless a physician certifies the employee's inability to return to work.
- G. Upon death or retirement of an unclassified employee, sick leave accrued to his/her credit shall be computed and the value thereof shall be paid to the employee or heirs, provided that the sick leave has been accrued under established leave regulations and a daily attendance record has been maintained for the employee by his/her supervisor, except that such payment shall not exceed the value of 25 working days computed on the basis of a five-day week and on a four-week per month basis for personnel employed on less than the 12-month employment basis and on the basis of a five-day week and 52-week year for 12-month employees. The rate of pay shall be computed using the base rate the employee is receiving at the time of termination.

VII. COMPENSATORY LEAVE FOR UNCLASSIFIED PROFESSIONAL STAFF (12-MONTH)

Unclassified employees (12-month) are hired on an annual basis and are not compensated for extra work beyond the normal 40-hour work week. Additionally, these employees do not receive compensatory leave for legal state holidays which are not observed by colleges and universities due to constraints of the academic calendar. All types of leave, other than compensatory leave, are the same for both unclassified and classified employees as outlined by Civil Service Rules.

The compensatory leave policy for unclassified professional staff of the Colleges and Universities of Louisiana System office and of the System institutions effective July 1, 1999 is as follows:

- A. An appointing authority may require an employee to work overtime on a holiday or at a time that the employee is not regularly required to be on duty. Compensatory leave may be granted for overtime hours worked outside the regularly assigned 40-hour work week, or when the employee has not worked in excess of 40 hours due to holidays observed or leave taken. Earning of compensatory leave must have prior approval of the immediate supervisor and the appropriate vice president or his/her designee. The amount of such leave shall be equal to the number of extra hours the employee is required to work.
- B. Compensatory leave shall not be earned by the following employees: presidents, vice presidents, deans, athletic directors, and athletic coaches. Exceptions may be made to permit these employees to be exempted from having to take leave when the university is officially closed. Such exceptions shall be included in the appointment letter of the individuals involved. In all events, any employee who is entitled to earn compensatory leave under the Fair Labor Standards Act shall learn such leave in accordance with Civil Service Rules and Regulations. (Revision approved 3/26/99)
- C. Compensatory leave shall be promptly credited to the employee and may be used with the approval of the immediate supervisor and the appropriate vice president or his/her designee. Not more than 30 working days, or the equivalent thereof in hours, of accrued unused compensatory leave shall be carried forward into any fiscal year.

An appointing authority may require employees to use their earned compensatory leave at any time. Employees will not be paid the value of their accrued compensatory leave upon separation from his/her unclassified position.
- D. In the event that an employee transfers without a break in service to another position within the State service, compensatory leave may be credited to the employee at the discretion of the new appointing authority. Compensatory leave shall be terminated when an employee separates from State service.
- E. Compensatory leave should not be confused with a flexible time policy. Employees cannot arbitrarily determine their own work schedules. In addition, work undertaken while at home does not constitute the earning of compensatory time.

- F. The manner in which this compensatory leave policy is administered shall be at the discretion of each individual campus (i.e., type of record maintained). The president of the institution or his/her designee will be responsible for administration of this policy.

This policy revision shall be effective July 1, 1999. Any compensatory leave earned under the conditions of the previous policy (effective January 4, 1994) shall be subject to that policy. (Revision approved 4/23/99)

VIII. LEAVE FOR CIVIL AND NATIONAL SERVICE

An employee shall be given time off without loss of pay, annual, or sick leave for civil and national services.

- A. The following are recognized by the Board as appropriate reasons:
1. for performing jury duty;
 2. when summoned to appear as a witness before a court, grand jury, or other public body or commission;
 3. for performing emergency civilian duty in relation to national defense;
 4. for voting in a primary, general, or special election which falls on his/her scheduled working day, provided that not more than two hours of leave shall be allowed an employee to vote in the parish where he is employed, and not more than one day to vote in a parish other than the one where he is employed;
 5. when the appointing authority determines that employees are prevented from performing their duties by an act of God;
 6. when the appointing authority shall determine that local conditions or celebrations make it impracticable for employees to work.

IX. MILITARY LEAVE

Employees who are members of a reserve component of the armed forces of the United States or the National Guard shall be granted leaves of absence from their positions without loss of pay, time, or annual or sick leave when ordered to active duty for field training or training authorized in lieu thereof when the individual is given constructive credit for such training. Such leaves shall be for periods not to exceed 15 working days in any calendar year, but an appointing authority may grant an employee annual leave or leave without pay or both, in accordance with other provisions of these leave regulations for such periods which exceed 15 working days in any calendar year.

- A. Employees who are inducted or ordered to active duty to fulfill reserve obligations or who are ordered to active duty in connection with reserve activities for indefinite periods or for periods in excess of their annual field training shall be ineligible for leave with pay.

X. FAMILY AND MEDICAL LEAVE

The State Colleges and Universities of Louisiana System has adopted the provisions of the U.S. Family and Medical Leave Act of 1993 for all its employees. The Louisiana Department of Civil Service (See General Circular No. 1126, October 8, 1993) has previously taken the position that all classified employees are covered by this Act. The contents of the Department of Civil Service General Circular No. 1126 shall therefore apply to all full-time System employees. (See Appendix 14) (Addition approved 1/7/94)

XI. OTHER LEAVE

The Board recognizes other categories of leave for its employees.

- A. When an employee is absent from work due to disabilities for which he is entitled to Workmen's Compensation, he may, at his/her option, use sick or annual leave or any appropriate combination of sick and annual leave (not to exceed the amount necessary) to receive total payment for leave and Workmen's Compensation in accordance with law.
- B. Probationary and permanent employees may be given time off without loss of pay, annual leave, or sick leave when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, step-grandparent, or grandchild provided such time off shall not exceed two days on any one occasion.
- C. At the discretion of the appointing authority, a full-time faculty member may be granted leave with pay to attend to personal emergencies. Such time may be charged against sick leave.