
 <b>SOUTHEAST MISSOURI STATE UNIVERSITY · 1873</b>	<b>BUSINESS POLICY AND PROCEDURE MANUAL</b>	Date Issued: 08/93	Revision Date: 04/04 06/12	Page: 1 of 1
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GENERAL STATEMENT OF POLICY

It is the policy of the University to provide different forms of leaves to meet the needs of its employees and to comply with Federal and State regulations, e.g., Federal Family and Medical Leave Act of 1993.

The Vice President for Finance and Administration shall be responsible for developing operating procedures to implement this policy.


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## OPERATING PROCEDURES

This operating procedure describes the various types of leaves afforded to University staff and outlines the provisions for each leave.

### **Holidays -**

1. The following holidays are normally observed by the University. All regular and term employees except those engaged in continuous operation, such as Public Safety, shall be excused from duty when such holidays are observed.
  - A. New Year's Day
  - B. Dr. Martin Luther King, Jr. Day
  - C. Memorial Day
  - D. Independence Day
  - E. Thanksgiving Day
  - F. The Day After Thanksgiving
  - G. The Day Before Christmas
  - H. Christmas Day
  - I. The Day Before New Year's Day
  - J. Labor Day
  - K. A Day to be Selected by the University
  
2. Hourly paid employees required to work on a holiday (A-K above) because it is designated part of their work week shall be compensated, in addition to their normal day's pay, at one and one-half times their regular rate for the hours worked. Personnel employed on a 9-month or 10-month basis will not be compensated for holidays occurring when they are not actively employed.
  
3. To be eligible for holiday pay, an eligible employee must be: 1) actively employed by the University both before and after the campus holiday and 2) must have worked or been on approved paid leave (i.e. paid time off) during the 30-day period immediately preceding the campus holiday. An employee who is on leave without pay or short-term disability for the full 30-day period immediately preceding the campus holiday is not eligible for holiday pay.


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**Paid Time Off -**

1. The University provides paid time-off for its regular and term full-time and part-time (at least half-time) staff.
2. While paid time-off is intended to be used by staff to renew and refresh themselves, the University understands that employees may have a need to conduct a matter of personal business that requires them to be away from their jobs for brief periods during normal working hours. In order to accommodate this need, paid time-off may be used in increments as small as one-half (1/2) hour.
3. Full-Time employment paid time-off accrual schedules are:

Monthly PTO Accrual Rates:

<b>Years of Continuous Service</b>	<b>Salaried Staff Monthly Accrual Rate</b>	<b>Annual Equivalent</b>
<1	14.34 hours	21.50 days
1	15.00 hours	22.50 days
2	15.67 hours	23.50 days
3	16.34 hours	24.51 days
4	17.00 hours	25.50 days
5	17.67 hours	26.51 days
6	18.34 hours	27.51 days
7	19.00 hours	28.50 days
8	19.67 hours	29.51 days
9	20.34 hours	30.51 days
10+	21.00 hours	31.50 days

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Biweekly PTO Accrual Rates:

<b>Years of Continuous Service</b>	<b>Biweekly Accrual Rate</b>	<b>Annual Equivalent</b>
<1	6.62 hours	21.52 days
1	6.93 hours	22.52 days
2	7.24 hours	23.53 days
3	7.54 hours	24.51 days
4	7.85 hours	25.51 days
5	8.16 hours	26.52 days
6	8.47 hours	27.53 days
7	8.77 hours	28.50 days
8	9.08 hours	29.51 days
9	9.39 hours	30.52 days
10+	9.70 hours	31.53 days

- Paid time-off shall be accrued from the date of initial, continuous employment in a regular or term benefit eligible position (at least a half-time assignment). Paid time-off will not accrue during periods of leave without pay, except for approved intermittent furlough.


Part-Time employment paid time-off accrual schedules are as follows (based on FTE):

<b>Years of Continuous Service</b>	<b>Salaried Staff Paid Monthly</b>	<b>Biweekly Paid Staff</b>	<b>Annual Equivalent</b>
<1	6.67 hours per month	3.08 hours per pay period	10 days
1	7.33 hours per month	3.38 hours per pay period	11 days
2	8.00 hours per month	3.69 hours per pay period	12 days
3	8.67 hours per month	4.00 hours per pay period	13 days
4	9.33 hours per month	4.31 hours per pay period	14 days
5	10.00 hours per month	4.62 hours per pay period	15 days
6	10.67 hours per month	4.92 hours per pay period	16 days

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<b>Years of Continuous Service</b>	<b>Salaried Staff Paid Monthly</b>	<b>Biweekly Paid Staff</b>	<b>Annual Equivalent</b>
7	11.33 hours per month	5.23 hours per pay period	17 days
8	12.00 hours per month	5.54 hours per pay period	18 days
9	12.67 hours per month	5.85 hours per pay period	19 days
10+	13.33 hours per month	6.15 hours per pay period	20 days

5. Employees must request use of paid time-off from their supervisor and receive approval prior to paid time-off being used. The employee's wishes will be given consideration, but paid time-off leave shall be granted at the convenience of the University.
6. Paid time-off will automatically be assessed to cover shortened workday hours during Spring Break, Summer Break, and the days the University is closed during Winter Break. Any exceptions must be approved at the Executive Staff level, and will only be considered for employees required to work outside the University's workday for a continuous duration during a break period. Non-exempt employees who work in excess of 7 hours per day during a shortened work week should record overtime straight for the 8<sup>th</sup> hour worked and time and a half for hours worked in excess of 40 hours per week.
7. Paid time-off shall only be granted after it has been earned; however, when paid time-off is needed to cover shortened workday hours during Spring Break, Summer Break, or the days the University is closed during Winter Break, leave may be granted in advance of accrual. Any other paid time-off usage in advance of accrual must be scheduled with the employee's supervisor and pre-approved by the division Vice President or Provost.
8. A maximum of 340 paid time-off hours may be accrued by a staff member. Once an employee's paid time-off balance reaches 340 hours, no additional paid time-off will accrue until the employee's paid time-off balance is less than 340 hours. The maximum paid time-off balance permitted for part-time staff will be pro-rated based on percentage of assignment.
9. A maximum of 240 hours of accrued paid time-off will be paid out when an employee terminates employment. Any employee terminating before the end of the six (6) month probation period will


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not receive a paid time-off payout. A terminated employee will be responsible for any paid time-off that is in arrears.

10. Paid time-off usage must be reported on either the electronic Bi-Weekly Time Sheet or the electronic Monthly Leave Report.
11. Employees' paid time-off balances are available via the Web on the Southeast portal.
12. Paid time-off may not be used to extend an employee's paid work schedule. For example, an employee who is normally employed in a half-time position may not claim a full eight (8) hours paid time-off pay for days charged to paid time-off. Similarly, employees who have less than 12-month contracts (e.g., 10-month assignment) may not use paid time-off during the period of time when they are normally not in a paid status.

**Unverified/Verified Sick Leave -**

1. Unverified sick leave accrual is available to regular and term employees who are employed in at least a one-half time (50%) assignment. Unverified sick leave must be accrued before it can be used.
2. Employees may use any of their eight (8) days of unverified sick leave for illnesses of a spouse, children, or parents, or relatives for whom the employee has primary responsibility.
3. Unverified sick leave accrued over eight days (64 hours) will be transferred to a verified sick leave bank for employee use. All verified sick leave will require verification of the medical condition of the employee. Such verification shall be made by written statement by a physician, should include the exact dates the employee was unable to report for work, and should be sent to the Office of Human Resources. Newly hired regular and term employees who are employed in at least a one-half time (50%) assignment will be given verified sick leave hours upfront (based on percentage of assignment) up to twelve days (96 hours) for full-time employees. Verified sick leave has unlimited accrual. Up to twelve days (96 hours) of an employee's accrued verified sick leave may be also be taken when an employee is compelled to be absent due to the illness or injury of a member of his/her immediate family. Members of the immediate family are hereby defined as: mother, mother-in-law, father, father-in-law, husband, wife, children, brother, sister or relatives for whom the employee has primary responsibility.


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4. Sick leave may be used in increments of as little as one-tenth (1/10) hour (six minutes) and must be recorded on either the electronic Bi-Weekly Timesheet or the electronic Monthly Leave Report.
5. Sick leave may be substituted for the first three (3) days of a reportable illness or injury under Workers' Compensation.
6. Individuals employed on a less than 12-month assignment or in a less than full-time assignment will not be paid sick leave during those periods when they are not in active duty status or regularly scheduled to work.
7. If a holiday falls during verified or unverified sick leave, the employee will be paid normal, regular pay instead of sick leave pay for the day.
8. Second opinions: The University, at its expense, may require that a second opinion be obtained. In the event that the second opinion is in conflict with the first, at the University's expense, a third opinion may be required. The third opinion is binding.

**Absences taken in excess of the allowable hours for Paid Time-Off or Unverified/Verified Sick Leave may be subject to discipline, up to and including termination of employment.**

**Short Term Disability Benefit -**

Upon completion of the probationary period, extended illnesses of employees may be covered by the University's Short Term Disability program. The maximum weekly benefit is 60% of current weekly earnings. Employees off work for 30 consecutive days (elimination period) may be eligible for short term disability. Employees may use any accrued leave to cover the 30 day elimination period. The maximum benefit period is 22 weeks. Specific provisions of the University's Short Term Disability program are outlined in the official plan document.

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**Paid Parental Leave –**

Employees will be provided up to two (2) weeks of paid parental leave to bond with a child for which the employee is the legal parent. The paid parental leave must be taken within the first twelve (12) weeks following an eligible birth or adoption. If both parents are employees of the University, the two (2) week paid parental leave is a share benefit, meaning that both employees share the two (2) week benefit.

**Funeral Leave -**

Absence will be granted with pay, not to exceed three (3) working days to make arrangements for and attend the funeral services of a spouse, father, mother, mother-in-law, father-in-law, brother, sister, child, grandparent, or grandchild of staff member or spouse, or members of the family who reside within the staff member's household. Additional working days, not to exceed two (2), may be granted where circumstances require travel out of the surrounding area or it is demonstrated that an earlier return would cause a hardship for the employee.

**Military Leave -**


An employee who is a member of the National Guard or any of the reserve components of the Armed Forces of the United States is entitled to a leave of absence, with pay, for the period during which the employee is ordered to military duty or training, not to exceed fifteen (15) working days in any one federal fiscal year. Compensation for military leave will not be deducted from paid time-off or sick leave time.

A copy of official orders from the appropriate military authority must be forwarded to the Human Resources Office, and the hours should be recorded on the electronic Bi-Weekly Timesheet for hourly employees or the electronic Monthly Leave Report for salaried employees.

**Jury Duty -**

1. Any staff member who is called for jury duty must report the call to his/her immediate supervisor by submitting a copy of the certification from the Court Clerk. The certification should be forwarded to the Human Resources Office, and the hours should be recorded on the electronic Bi-Weekly Timesheet for hourly employees or the electronic Monthly Leave Report for salaried employees.



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2. The staff member will be entitled to retain all the compensation received for such jury service, and no deduction will be made in the regular compensation for the reasonable time absent from duty on account of responding for such jury service.

**Election Days -**

Missouri law requires that employers allow employees to have a period of three (3) consecutive hours between the time of opening and the time of closing the polls for the purpose of voting. Employees who do not have a three (3) hour period before or after work time will be allowed to come in one (1) hour later or leave one (1) hour early on election days. Prudent judgment should be used when requesting this leave. A written request must be made to the employee's supervisor at least one day prior to the election.


**Family and Medical Leave -**

**1. Definitions -**

- A. Eligible Employee: An employee who has been employed for at least 12 months and who has worked at least 1,250 hours during the twelve (12) months before the period of anticipated unpaid leave.
- B. Son or Daughter: the biological, adopted, or foster child, a stepchild, legal ward, or a child of a person standing in loco parentis. These terms will be broadly construed to ensure that an employee who actually has day-to-day responsibility for caring for a child is entitled to leave even if the employee does not have a biological or legal relationship to that child.

The terms include not only children under the age of 18, but also children above that age who are incapable of self-care because of mental or physical disability.

- C. Serious Health Conditions: An illness, injury, impairment, or physical or mental condition involving either inpatient care or continuing treatment by a health care provider.


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**2. Conditions for Which Family or Medical Leave May Be Granted -**


- A. An eligible employee is entitled to twelve (12) designated workweeks (paid and/or unpaid) of leave during any 12-month period for three reasons:
  - i. birth or placement for adoption or foster care of a child;
  - ii. serious health condition of a spouse, child, or parent (serious health conditions include illness, injury, impairment, or physical or mental condition involving either inpatient care or continuing treatment by a health care provider); or
  - iii. employee's own serious health condition.
- B. Leave may be taken for birth or placement of a child only within twelve (12) months of that birth or placement.
- C. For the birth or adoption of a child, leave may be taken on an intermittent or reduced basis only upon the approval of the supervisor.
- D. For leave for a serious health condition, leave may be taken intermittently or on a reduced basis at the discretion of the employee.

Note: If the employee's need for intermittent leave is foreseeable based upon planned medical treatment, the employee may be required to transfer temporarily to an alternative position, with equivalent pay and benefits, which better accommodates recurring periods of leave than the employee's regular position.

- E. Employees are required to first use available paid leaves (including paid time-off and unverified and verified sick leave, if applicable), as determined by their amount of leave available and the reasons for the need to use the leave, for any part or all of the twelve (12) weeks leave. If the employee has sufficient paid leave available to cover the twelve (12) week leave requirement, the employee is not entitled to an additional twelve (12) weeks unpaid leave period.

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- F. In the case of leave for birth or placement of a child, the employee must provide thirty (30) days advance notice before the date the leave would begin. If the employee is unable to provide thirty (30) days' notice, he or she must provide such notice as is practicable.
- G. In the case of leave for a serious medical condition, if the leave is foreseeable based upon planned medical treatment, employees are required to make a reasonable effort to schedule treatment so as not to disrupt unduly the operations of their department, and employees are required to provide thirty (30) days advance notice or such notice as is practicable if the treatment is in less than thirty (30) days.
- H. In instances when spouses are employed by the University and leave is taken for care of a newly arrived child or a sick parent, their aggregate leave is limited to twelve (12) weeks. If the leave is requested because of the illness of a child or of the other spouse, each spouse is entitled to twelve (12) weeks of leave.
- I. Procedure to Request Leave: A written request for leave must be provided to the supervisor at least thirty (30) days (except as noted above) in advance of the intended period of leave. The written request must contain the following information:
- i. date on which the serious health condition began; or a statement that the employee is needed to care for spouse, parent, or child (along with an estimate of the time required), or a statement that the employee is unable to perform his or her functions; and
  - ii. in the case of intermittent leave, the dates and durations of treatments to be given; and
  - iii. if for a serious health condition, the probable duration of the condition.
- J. Second opinions: The University, at its expense, may require that a second opinion be obtained. In the event that the second opinion is in conflict with the first, at the University's expense, a third opinion may be required. The third opinion is binding.
- K. Recertification: The University may require recertification on a reasonable basis.

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- L. Employment and Benefits Protection: An employee who completes a period of leave will return to either the same position or to another position equivalent in pay, benefits, and other terms and conditions of employment.
- i. employer-provided health benefits continue during the period of leave.
  - ii. the University may recover health coverage premiums paid for an employee who fails to return from leave, except if the reason for non-return to work is the continuation, recurrence, onset of a serious health condition, or for other reasons beyond the employee's control.

**Non-Medical and Non-Family Leave Without Pay -**

1. Employees, except in emergency situations, are required to make their request for non-medical and non-family leave without pay at least thirty (30) days before the intended date of leave. Emergency requests, however, must be made before the intended period of leave without pay begins.
2. All requests for leave without pay must be in writing and contain the reason for the requested leave and the dates of the expected leave period.
3. Approval of requests for leave without pay will be obtained as follows -
  - A. The request must be given to the supervisor for approval or non-approval to the request and will forward the request to the next level supervisor until it reaches the division executive.
  - B. If the division executive approves the request,
    - i. Human Resources will process the leave without pay as instructed and will advise Benefits and Payroll of the action.
    - ii. the Benefits Office will contact the employee to make any necessary benefit arrangements as outlined in the Plan Document.
4. At the time the employee returns to active work status, the department should notify the Human Resources Office in writing.