TO: Regent Laws & Policies Stakeholders  
FROM: Felicity O’Herron, Associate Vice President of Employee Services  
DATE: February 5, 2019  
RE: Recommended Changes to Regent Policy 11.E: Leave Policies for University Staff and Twelve-Month Faculty

Background
The Regent Laws and Policies review project is driven by the guiding principle that laws should capture only high level statements on governance and policies should include the necessary elaborations of law, but no more. The goal is to focus on the powers and responsibilities of the Board of Regents while assigning operational procedures to an administrative policy statement (APS) or campus policy.

The Regent Policy 11E- Leave Policies for University Staff and Twelve-Month Faculty is under the main purview of Employee Services and is being reviewed in a comprehensive manner. This memo outlines the proposed changes to the proposed Regent Policy 11E- Leave Policies for University Staff and Twelve-Month Faculty. We are posting a clean version of the proposed policy for ease of reading, rather that the confusing redline version of the changes proposed.

Recommendations for Regent Policy 11E-Leave Policies for University Staff and Twelve-Month Faculty

- Creating a standard structure to be applied to each subsection. These sections include:
  - Accrual
  - Usage
  - Compensation
  - Transfer between faculty and administrative appointments
  - Holidays
  - Leave without pay

- Notable changes for Vacation Leave section:
  - Recommendation to remove the section that allows vacation balances to be over maximum accrual rate in extraordinary circumstances. This is an administrative burden and is subjective to extraordinary circumstances.
  - Addition of language that allows appointing authorities to establish periods of time when vacation leave will not be allowed. Most commonly attached to start of semesters, year-end processing, or other business necessities.
  - Clarifying the maximum 44 day payout is per separation, not a lifetime maximum.
  - Allowing campuses to create a policy for business needs if partial or full vacation balances should be paid out without the employee separating from the university. For example, an employee on a single grant funded project has a three month gap before funding is restored, the employee could have vacation payout to cover the three months until the grant funding is renewed.

- Notable changes for Sick Leave section
  - Removal of “Employees are limited to five days of accrued sick leave per year to care for members of their immediate family who are ill or to take an immediate family member to a
medical or dental appointment.” This clause is impossible to enforce and goes against Family Medical Leave Act.

- Addition of a forfeiture section which states the sick leave balance is forfeited upon separation and will not be reinstated if the employee is rehired. This is current practice for university staff and is useful to document it in policy.

- Notable changes to Other University Leaves
  - The current policy lists many different leaves that are mandated by federal or state law or that CU currently has detailed APS documentation. The definitions are removed and a simple statement that states: “The president may establish additional types of leave as determined by federal and state law or as deemed necessary. Examples include: Court and Jury Leave, Military Leave, Bereavement Leave, Leave for Job-Related Illnesses and Injuries, Leave Without Pay, Parental Leave, Administrative Leave, Leave Sharing and Furloughs.”